

## **A.5 Public Comments on SBPCR Draft Environmental Impact Statement (DEIS)**

**A.5.1 SBCR Draft Environmental Impact Statement (DEIS)**  
**Public Hearing Transcript**  
**May 19, 2022**

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MINUTES OF THE BATTERY PARK CITY AUTHORITY  
DRAFT ENVIRONMENTAL IMPACT STATEMENT FOR THE  
SOUTH BATTERY PARK CITY RESILIENCY PROJECT  
PUBLIC HEARING

MAY 19 - 6:00 P.M.

Held Virtually Via Zoom  
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GWEN DAWSON, Vice President, Real Property  
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## PUBLIC HEARING

MS. MADONICK: Welcome. Thank you for attending the public hearing on the Draft Environmental Impact Statement for the South Battery Park City Resiliency Project. The Battery Park City Authority appreciates your interest in the project and your participation in tonight's hearing. Tonight's hearing is being recorded, and any comments made tonight will be included in the project's official records. My name is Nora Madonick from Arch Street Communications and I'll be facilitating tonight's hearing.

Tonight we're joined by B.J. Jones and Gwen Dawson from Battery Park City Authority, as well representatives of the project team. Rene Ducker and Rachel Dencker from AECOM, which prepared the DEIS, will give a brief presentation about the project and the DEIS.

In the virtual format of

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tonight's hearing, the presentation will cover the same information that BPCA would have shared at an in-person public hearing. But tonight's comment process will be slightly different. I'll go over the comment process shortly.

Materials related to the project, including the DEIS, are available on BPCA's website at [bpca.ny.gov](http://bpca.ny.gov) on the Resiliency and Sustainability page. The public review and comment period on this DEIS began May 4th, 2022, and will end on June 3, 2022.

You may comment on the DEIS in the following ways: You can make a verbal comment tonight. Please note BPCA will not be providing any responses to comments or questioning this evening.

Each person who is registered to comment tonight will have one opportunity to speak for up to three

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minutes. Questions and comments received today will be addressed in the final Environmental Impact Statement.

If time allows tonight, we may be able to hear additional comments from those who did not preregister. If you have not registered to speak but you wish to comment tonight, please enter your name, your email and your address in the QA option of the Zoom webinar. We will hear comments in the order in which commenters post their interest in speaking.

Other ways to submit your comments: You can mail written comments to Claudia Filomena, BPCA's Director of Capital Projects at 200 Liberty Street, 24th floor, New York, New York, 10281; or you can email Claudia at [claudia.filomena@bpca.ny.gov](mailto:claudia.filomena@bpca.ny.gov).

Comments made and questions

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1  
2 raised during tonight's public  
3 hearing will be addressed in the  
4 final Environmental Impact Statement  
5 which is expected to be released in  
6 summer 2022.

7 Can we go to the next slide,  
8 please.

9 After a brief presentation  
10 about the project and the DEIS, we  
11 will open up the hearing for public  
12 comment, and at that time I will go  
13 over the process we will follow for  
14 commenting in detail. But at this  
15 time, I'd like to turn things over to  
16 B.J. Jones, President and CEO of  
17 Battery Park City Authority for  
18 introductory comments. B.J.?

19 MR. JONES: Great. Thank you,  
20 Nora.

21 Tonight is another important  
22 step in our resiliency efforts.  
23 We've made lot of progress on climate  
24 adaptation, ranging from the  
25 restoration work after Hurricane



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1  
2 Sandy and completion of new  
3 resiliency measures at the ball  
4 fields, to important policy and  
5 planning advancements to both lay the  
6 ground work for additional and  
7 necessary resiliency measures, as  
8 well as to fight climate change  
9 proactively through our  
10 sustainability efforts. But this is  
11 not enough.

12 Next slide.

13 Battery Park City is vulnerable  
14 as a coastal community, even more so  
15 now as storms are getting more severe  
16 and frequent. We are planning for  
17 worse than Hurricane Sandy. Recent  
18 data from Colorado State University,  
19 which has issued forecasts of  
20 Atlantic Basin hurricane activity for  
21 over 37 years, make it even clearer  
22 that we can not afford to be  
23 complacent. Their forecast for 2022  
24 hurricane activity is above average  
25 for the seventh year in a row, an

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alarming trend.

Next slide.

This shows the potential inundation we can expect locally as the result of a hundred year storm. You can see why we need to take urgent action to protect lives, homes, schools, public spaces, jobs, infrastructure, and more in Battery Park City and beyond.

Next slide.

We've conducted numerous public sessions over the last several years on this project and have actively engaged stakeholders on our ridiculous efforts since 2017. And we appreciate the partnership of the Community Board in this effort, particularly the Battery Park City and Environmental Protection Committees, as well as other stakeholders from the neighborhood.

We've also held many town hall meetings of our own. Our

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presentations and meetings are all online, including recordings, as well as reporters and designs and more.

Next slide.

This work also requires incredibly close collaboration with City and State partners. We can't do this without their help, and we appreciate your interests and your comments this evening.

Thank you. And Nora, I'll now turn it back to you.

MS. MADONICK: Thank you, B.J. I'm going to turn things over to Rachel Dencker of AECOM. Rachel, would you like to take over?

MS. DENCKER: Oh, sorry. Hi, I'm Rachel Dencker. Thank you all for participating today and allowing us to introduce you to this important New York City project.

I'm Rachel Dencker, Senior Project Manager for the AECOM design team.

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We would like to begin by providing an overview of the Battery Park City Authority Resiliency Projects, and then focusing our conversation on the South Battery Park City project.

So looking at the screen, you can see on the northern side we have the Battery Park City Ball Field Resiliency Project there in gray, and then if you look further north, you'll see that the original line which runs all the way down the western side of Manhattan is the Northwest Battery Park City Resiliency Project. It then connects to our South Battery Park City Resiliency Project there in gray, which we'll now focus our conversation on.

The South Battery Park City Project represents one of several projects that are within the overall Lower Manhattan Coastal Resiliency

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Master Plan. The South Battery Park Resiliency Project is being designed to provide flood risk reduction within the project area for the current hundred year floor, increased intensity, and frequency of rainfall, coastal surge, and predicted sea level rise.

The South Battery Park Resiliency Project is also being designed with adaptability for the 2050 hundred year storm event at such time as the Northwest Battery Park Resiliency Project is completed and a tie in between the two projects is created.

Please note that the project utilizes the same design criteria as other New York City flood resiliency projects such as ESCR and BMCR.

The project will be receiving FEMA accreditation. This accreditation is directly from FEMA, and confirms the specified flood risk

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reduction is met.

Next slide.

The purpose and need of today's project is to provide a reliable coastal flood control system to provide risk reduction to property, residence and assets within the vicinity of South Battery Park City in response to the designed storm event. It is to protect and preserve, to the maximum extent practicable, open space resources and opportunities to view and interact with Manhattan's water front, particularly in Wagner Park, Pier A Plaza and the Battery, and avoid or minimize disruption to existing below and above ground infrastructure from flood events.

Next slide.

It's also important for us to remind you of what the existing topography in Lower Manhattan looks like. So in this slide you'll see a

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range of colors that demonstrates the surface elevation of the existing topography of the site. I want to point out to you the lowest topography, specifically in Wagner Park, which you'll notice is in pink, and it is right at the tip at a plus seven foot surface elevation. And then the other very important elevation to make everybody aware of is the plus four, which is in Pier A Plaza, there in purple.

Next slide.

Another important aspect for everybody to also understand is the coastal modelling for our 2050 condition. So on the left-hand side you'll see what current conditions look like today. So in turquoise, what that's showing is the surface elevation of roughly about six to seven feet in elevation on the left-hand side. Then in the 2050 hundred year storm event with sea

## PUBLIC HEARING

1 level rise, you'll see full  
2 inundation of the area. In orange  
3 you'll see the whole area is  
4 completely inundated with an  
5 elevation of anywhere between 13 to  
6 15 feet in elevation.  
7

8 Next slide.

9 So once we were able to  
10 conclude our coastal modelling and  
11 analysis, we were able to understand  
12 the design flood elevations that were  
13 required to meet our flood  
14 mitigation. In order to do that, we  
15 needed to start at First Place.

16 So if you notice on the  
17 northern most portion of this where  
18 Rene is pointing out, we have two  
19 flip-up deployables, the first one  
20 that goes across First Place that  
21 then connects to that northwestern  
22 area of the Museum of Jewish Heritage  
23 that then connects to our glass top  
24 flood wall that goes around the  
25 Museum of Jewish Heritage.



## PUBLIC HEARING

And then we need in the Wagner Park area to meet the DFEs, we did need to elevate this section by 10 to 12 feet due to the DFEs. And we're going to bury the flood walls which will be constructed beneath the raised park, maximizing the protected open space within that park.

We then connect to a series of flip-up deployables that span across Pier A Plaza. We then connect to an exposed flood wall that then ties into a bermed flood wall.

Next slide.

And here is a slide that shows the five South Battery Park City Resiliency Project segments as defined in the DEIS, specifically starting on the west side or the north side, we have First Place, and then moving east we go to the Museum of Jewish Heritage, Wagner Park, eastward to Pier A Plaza, and then the Battery bikeway.

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In addition we also have interior drainage improvements as part of the project which we will discuss a little bit later on.

And with that I'm going to hand it over to Gonzalo Cruz who's our lead landscape designer. Thank you.

MR. CRUZ: Thank you, Rachel. So what we've done for you guys today is to prepare series of walkthroughs that describe the experiences of the park, as well as the performative components associated with flood infrastructure and place-making.

So what we're going to do -- we have about six animations describing the physical environment for Wagner Park, the pavilion, the Pier A inlet, and the Pier A Plaza, the Battery. And we hope that you get a really clear understanding on how the physical manifestation of all these components come into play.

Now, we've done our best to

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1  
2 ensure that the transition of these  
3 animation come through without any  
4 issues or problems. So what I  
5 recommend is that you turn off your  
6 videos just to ensure that you can be  
7 transmitted, you have the best  
8 experience watching the video. But  
9 if you happen to run into a problem,  
10 Battery Park City -- the Battery Park  
11 City Authority will be making these  
12 videos available online as early as  
13 tomorrow. So no need to worry if  
14 there are any glitches on your right  
15 with the transmission.

16 And with that I'd like to start  
17 the walkthroughs. I'm going to share  
18 my screen and turn off my video. Let  
19 me see -- please let me know if you  
20 can see my screen. Yes? Perfect,  
21 excellent, thank you.

22 So we're going to start with  
23 the Museum of Jewish Heritage in  
24 Wagner Park. So for each of the  
25 animations we put together a diagram

## PUBLIC HEARING

1  
2 that describes the sequence in which  
3 we're walking through. As you can  
4 see, for the most part, this  
5 animation describes the experience  
6 along the waterfront, as well as the  
7 practices of putting into play for  
8 flood infrastructure.

9 We're starting with the Museum  
10 of Jewish Heritage. On the left you  
11 see the flood infrastructure being  
12 made of flood wall that has a  
13 concrete base, and the majority of it  
14 sitting on top of that concrete base  
15 is a series of glass panels providing  
16 and maximizing veracity to the Museum  
17 of Jewish Heritage, while the  
18 concrete bottom is actually being  
19 screened by lots of plantings to  
20 continue to invoke the sense of place  
21 that we currently have.

22 As we move into the esplanade,  
23 we immediately see Wagner Park on the  
24 left. Moving through the esplanade  
25 we continue to have a very wide

## PUBLIC HEARING

esplanade for maximum experience.

Just for reference, Battery Park City has painted one of the light poles to show what the level of the height of the intervention will be for Wagner Park. But I just wanted to clarify that the height of intervention is not actually happening on the waterfront itself, but it's happening on the park behind the esplanade as it moves away to various levels.

Due to the need to meet the projected DFE and for coastal surge, the park is being raised between 10 and 12 feet in elevation.

Here is right at the center of the park in front of our social seatings, we continue to have the striking views of the Statue of Liberty.

As we continue to walk south, we enter -- we find the Pier A inlet to the right. The Pier A inlet

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brings an opportunity for a new waterfront marine and habitat education for the community. This design converts an existing concrete relieving platform and brick-wrapped edge to a terrace condition that improves habitat opportunity.

An observation deck has been added to create 50 percent more light that can actually pass through to engage and encourage aquatic life. This Pier A inlet feature seeks to place a living shoreline which goes in part with the growing New York City movement to convert former waterfronts into living shoreline.

As we move all the way south, we get almost to the south end of Wagner Park and Pier A inlet, and we look back to the allee entrance in the back along Battery Place for Wagner Park.

Moving on to the next walkthrough. What we would like to

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1  
2 describe with this next walk through  
3 is the ability that the park -- that  
4 the proposed park has in connection  
5 with universal access and sustainable  
6 practices along its planting.

7 As you see, we have many ways  
8 to engage -- to engage into the park.  
9 The park features a number of  
10 sustainable elements. It provides  
11 the opportunity to introduce salvage  
12 elements as much as we can,  
13 particularly with the stone  
14 treatment, the paving colors and  
15 materials selected to increase -- to  
16 increases park's solar reflective  
17 index, and it reduces the park's  
18 contribution to heat island effect.  
19 So all these things have been put  
20 into play to provide performative  
21 components to the park.

22 As you see when you move up  
23 into the park, you have an  
24 opportunity to understand its many  
25 layers as it loops into the

## PUBLIC HEARING

1  
2 esplanade. There are a lot of  
3 opportunities for the community to  
4 come together and perform activities  
5 such as picnics, social engagement.  
6 And ultimately, it blends into an  
7 open lawn that provides flexible  
8 opportunity for programming.

9 Site lining has been very  
10 carefully chosen as well. In order  
11 to reduce glare and enhance nighttime  
12 view, we have selected materials to  
13 actually enhance the nighttime view  
14 of the harbor and the Statue of  
15 Liberty.

16 Plantings have been focused  
17 completely on native planting  
18 systems. We have for -- we have  
19 worked very closely with Battery Park  
20 City Parks in ensuring that we have a  
21 native array of planting design  
22 treatments.

23 Here is a look on the upper  
24 level, of the most top level of the  
25 park where you can experience the



## PUBLIC HEARING

open lawn for flexible use. And we've also found optimal locations to relocate some of the wonderful selection of outdoor sculptures that Battery Park City has.

As we move all the way to the south, we encounter yet another way of engage with the park. Just to note, there is an ADA accessible ramp right next to the stairs. Right through the stairs we can see the Pier A inlet again where we were just a few minutes earlier. There you get a glimpse of the ADA accessible ramp that gets you back up to the park on this side. And we're exiting the exact way we exited in the last loop, in the previous animation, looking back into the allee, the south allee overlooking the building.

The next animation will describe what it's actually like -- what it's like to engage into the pavilion, another design component of

## PUBLIC HEARING

1  
2 the large Resiliency Project, through  
3 the allees that have been slightly  
4 and very subtly raised to get you to  
5 a main entrance to the park. As you  
6 see, the south allee slowly moves up  
7 into the center of the pavilion and  
8 introduces an incredible gateway to  
9 enter the park.

10 Here's where we make a turn,  
11 looking down at the north allee which  
12 is basically orchestrated in the same  
13 way that the south allees is  
14 orchestrated. And through this  
15 gateway, the pavilion then allows for  
16 an opportunity to enter the park at  
17 its higher elevation.

18 We are landing on the flexible  
19 central lawn. We're turning left to  
20 look at the open lawn where we find  
21 opportunities for -- a lot of  
22 opportunities for shading and  
23 flexible use. The lawn has been kept  
24 open right at the center to allow for  
25 the new shades to occur.

## PUBLIC HEARING

1  
2 And as we move up to the north,  
3 we also find a lot of opportunities  
4 for foliage, for shading, to be  
5 surrounded by an environment that is  
6 completely surrounded by native  
7 planting material, which I think we  
8 have been coordinating with Battery  
9 Park City Parks.

10 We're now looking back down  
11 north, just a glimpse. You see the  
12 placement of sculptures by Tony  
13 Cragg. The Louise Bourgeois  
14 sculpture is right behind me at the  
15 moment, which would -- an optimal  
16 location, which is a wonderful piece  
17 of artwork.

18 And I'd like to say a few  
19 things about the pavilion now. So  
20 I'm going to pause this for a second  
21 so I can describe a few of the main  
22 components.

23 The pavilion is also elevated  
24 11 to 12 feet above grade. The key  
25 focus of the design was to preserve

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1  
2 and protect, to a maximum extent  
3 practicable, open space resources and  
4 opportunities to view and interact  
5 with Manhattan's waterfront,  
6 particularly through Pier A Plaza,  
7 Wagner Park and the Battery. The  
8 design of the pavilion-type targets  
9 ILFI zero-carbon certification which  
10 requires reduction for operationally  
11 [inaudible] carbon. High efficiency,  
12 low-carbon insulation, high recycled  
13 content rebar, no carbon concrete, no  
14 emitting material, triple glazing and  
15 multi-coating -- [inaudible] are some  
16 of the many sustainable practices put  
17 into play for the pavilion.

18 The building will be energy  
19 efficient, will be composed of a  
20 number of energy efficient systems.  
21 It will be highly insulated -- it  
22 would have a highly insulated  
23 envelope. We will provide energy  
24 efficient lighting as well as potable  
25 water and fixtures.

## PUBLIC HEARING

1  
2 And one of the main designed  
3 features, as sustainable as we can  
4 imagine as well, is its green roof,  
5 which you get a little bit of a sense  
6 by looking at the top of the  
7 pavilion.

8 As so as we move north through  
9 the pavilion at that elevation, we  
10 then introduce the northern gardens.  
11 Again, a place of subtle gathering,  
12 passive recreation with ample ways of  
13 seating and an incredible display of  
14 natural ecology.

15 Now, the next animation, it's  
16 going to describe the experience  
17 along Battery Place on the street, on  
18 the sidewalk. So we wanted to start  
19 from being across the street, what it  
20 would feel like to actually engage to  
21 the park and the rest of the project  
22 scope from across. In here we know  
23 that we have options, many options to  
24 get through the park. But for the  
25 purposes of showing you what it's

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1  
2 like to walk through that experience  
3 along the sidewalk, we're going to  
4 walk along the sidewalk. But you  
5 also have the option to go through  
6 the north allee and gradually,  
7 through universal access, get through  
8 the gateway entrance to Wagner Park,  
9 as well as the entrance to the  
10 gardens.

11 Here we're moving through with  
12 a heavily vegetated buffer that there  
13 also display a number of native  
14 planting treatments. We have platted  
15 some of the wall treatments along the  
16 pavilion along the street with  
17 foliage that can drape over.

18 And as we get to the other end,  
19 to the southern end of Battery Place,  
20 we get a glimpse of the Battery, Pier  
21 A Plaza, and just for reforms, we're  
22 turning right back into the allee,  
23 the south allee which gives us  
24 through another universally  
25 accessible ramp entry to the park.

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Now we're going move to another set of components of the project which is the Battery and Pier A Plaza. And just for reference, we're turning right back into the allee, the south allee, which gets us to another universally accessible ground entry to the park.

Now we're going to move to another set of components of the project, which is the Battery and Pier A Plaza.

So for reference, follow the lines so you can understand more as to the walk that we're engaging at the moment.

So as you see, we start at the Battery, right, on the existing side of the -- the existing condition of the Battery, to the right you see that bermed passive treatment platted in the form of an earthen berm. And what we've done in and around the berm is to enhance some of the --

## PUBLIC HEARING

bring more planting foliage, as similar to the existing conditions of the Battery at the moment.

As you see, we have a very distinct sort of definition of both the bikeway and the pedestrian right-of-way. This is now becoming another entrance to the park.

The project assignment extends into the bikeway, onto the north side of the Battery. We're using the same material treatments for the ground, same color tones as it exists today for the Battery. And here is a quick peak, as when you look back into the Battery along the flood walls, which is platted with stone treatment, both of sculptural quality, and an opportunity to navigate through the bikeway and also on foot through the Pier A Plaza.

We're making a slight turn to the left and looking at up Pier A Plaza from behind. This entire



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section combines flip-up deployable gates, and also the exposed flood wall as I just mentioned.

We have provided a number of landscape public edges in and around the Battery. We believe that there is incredible improvement in circulation. It designates universal access with pedestrian access, with ramp access to the various elevations. And we ensure that we introduce the bikeway in a way that is functional and it would be conflict-free with pedestrian use.

So as we get to the north end of the Pier A Plaza, we're making that turn so we can show you how the various levels are connected with the introduction of universal access, plenty of seating, and lots of shading, particularly in the middle of the plaza.

A second. And lastly, we wanted to show you a little bit more

## PUBLIC HEARING

1  
2 of the northern gardens. We've  
3 basically cut the components: Museum  
4 of Jewish Heritage, Wagner Park, Pier  
5 A Plaza, the Battery, and even  
6 Battery Place. Now we're going to do  
7 a final walkthrough through the  
8 northern gardens located in Wagner  
9 Park.

10 So we're coming from the Museum  
11 of Jewish Heritage. These are some  
12 of the existing wonderful features,  
13 the reflecting pools, and we see how  
14 they actually transition into the new  
15 project areas in the new project  
16 design areas. This is a very  
17 important moment because you do have  
18 the flexibility of making choices  
19 about how you enter the park, whether  
20 you do it through the northern  
21 gardens on the right, whether you do  
22 it through the allee of trees in the  
23 center with a very gradual ramp  
24 ascending to the main entrance in the  
25 park, or when you move through

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Battery Place along the sidewalk.

So for the purposes of this experiential walk, we're going through the ornamental gardens, which are a series of robust, very colorful, very seasonal, very native planting arrangements for the project. Universally accessible, all ramps meet ADA requirements to a very comfortable level, and we also provide seating and places for you to experience the ever changing foliage that we propose for the park.

Ultimate locations for a cultural treatment in a place where they are celebrated as they are today. They will be celebrated as they are today.

And if we move over to the right we can cut into a series of steps and get to the actual northern edge of Wagner Park, looking south through a set of steps and stairs. Right next to these stairs is the

## PUBLIC HEARING

ramp that we came up earlier.

Along the edge of the lawn, you see to the left a lot of planting which actually creates a very nice buffered separation from the lawn. Here is two tiers of flexible lawn use as you move down into the esplanade. This is something that the community was very, very eager to see through, and we believe that it's being achieved well.

Right at the center we have a condition that mimics what we have today with social seating, or social steps as we call them. And the exciting thing to note about these social steps is that it's completely accessible, universally accessible.

A large place of gathering, similar to the one we have today, overlooking the most breathtaking and most beautiful views of downtown Manhattan into the Statue of Liberty.

Then we look back. We're right

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1  
2 at the center of the park, onto the  
3 very wide esplanade. And just for  
4 kicks we wanted to show you what the  
5 park looked like from above as we fly  
6 over.

7 Can you see my screen?

8 MS. MADONICK: Yes.

9 MR. CRUZ: Perfect. So that  
10 concludes this portion of the  
11 animation presentation. I hope you  
12 enjoyed it, I hope you had a good  
13 time viewing them. And as I  
14 mentioned earlier, Battery Park City  
15 will make them available for you  
16 tomorrow. Thank you.

17 Back to you Rachel. Okay.  
18 Rene. Sorry.

19 MS. DENCKER: Thank you,  
20 Gonzalo.

21 One last project element we did  
22 also want to mention are the interior  
23 drainage improvements associated with  
24 the project. The existing sewer  
25 infrastructure crosses underneath our

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1  
2 project area, and therefore needs to  
3 be isolated to preclude the coastal  
4 surge from entering the study area.  
5 Please note on the right-hand side,  
6 it's not a pretty one, because all  
7 this work is actually below grade.

8 So how do we accomplish this  
9 interior drainage management system?  
10 We implement it in three different  
11 types of work. We're installing  
12 three tide gates. Two of these are  
13 going to be on municipal storm sewer  
14 overflows, one at First Place, and a  
15 second one at Rector Street. The  
16 third tide gate will be installed on  
17 the CSO line, which is a combined  
18 sewer overflow line at Pier A Plaza.  
19 We will also be installing two  
20 isolation valves in the Battery. We  
21 also have to install a couple of  
22 gates within the existing regulator  
23 structures that are along West  
24 Street.

25 And with that, I'll send it

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over to Rene Ducker who leads our environmental team. Thank you.

MS. DUCKER: Thank you, Rachel. Again, my name is Rene Ducker, and I'm the lead for the environmental team.

Tonight I'm going to [inaudible] environmental review process. I'm going to briefly discuss the alternatives, as well as the framework for the environmental review, and our operational and construction impacts.

So to summarize the EIS process, the EIS is required by the New York State Environmental Quality Review Act, otherwise known as SEQR. This DEIS addresses the requirements of SEQR and the guidance presented in the City Environmental Quality Review manual. We are following both State and City environmental review processes due to the fact that BPCA is a state authority, and the project

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area includes City owned property.

A positive declaration was issued. And this means an EIS was required. And this began the environmental review process. An important element of the EIS process is to engage the public and agencies throughout the process and provide opportunities to comment.

This summary timeline provides an overview of the major documents and public comment periods for this project. A scoping document was issued on September 29th, 2021, and we held a virtual scoping meeting on October 13th, 2021. And the scoping public comment period closed on October 29th, 2021. We published the final scoping document on May 4th, along with the draft Environmental Impact Statement. Both of these documents can be found on BPCA's website.

The public comment period for



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the DEIS will conclude on June 3rd. Comments received from both the public and the agencies will be addressed in the final Environmental Impact Statement.

So I'm going to briefly talk about the project and study areas. So the study area includes the flood alignment which extends from First Place through Wagner Park along Pier A Plaza and the Battery. It also includes our interior drainage locations that Rachel just described, and show up in blue boxes along west street on this map, as well as Rector and First Place.

So the solid blue line on this map represents our project area, which is the footprint for construction activities. And the dotted line represents the 400-foot area -- study area that was the analysis -- that was where the analysis was conducted.

## PUBLIC HEARING

1  
2           So the EIS not only looks at  
3       the proposed action, but we also  
4       consider the no action condition.  
5       And this would be where no  
6       comprehensive flood alignment within  
7       the study area would be built, and  
8       Battery Park City would remain  
9       vulnerable to the low inundation  
10      flooding and the hundred year storm  
11      event. Without flood protection, the  
12      study area, including the Museum of  
13      Jewish Heritage, Wagner Park, Pier A  
14      Plaza, and the Battery would be  
15      subject to storm damage from major  
16      and minor storm events.

17           The no action condition  
18      consists of planned or ongoing  
19      projects within the study area.  
20      These are projects that are soon to  
21      be constructed whether our project is  
22      constructed or not.

23           There are two no-build  
24      projects. The first is the Battery  
25      Coastal Resiliency Project, which is

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1  
2 a New York City Economic Development  
3 Corporation project, and would  
4 connect into our project at Pier A  
5 Plaza.

6 The second notable project is  
7 the New York City Department of  
8 Transportation Battery Park underpass  
9 and West Street underpass project.  
10 This project would provide protection  
11 for the Battery Park and West Street  
12 underpasses from future sea level  
13 rise and flood damage.

14 So alternatives for the project  
15 will also consider for the five  
16 segments listed here on the screen.  
17 And they were -- individually, due to  
18 their differing characteristics in  
19 each of these areas. Alternatives  
20 were also considered for the interior  
21 drainage components.

22 The project team evaluated  
23 options for each of these segments,  
24 and these are described in detail in  
25 section 2.2.2 of the DEIS.

## PUBLIC HEARING

1  
2           So I'm going to briefly  
3 describe the overall analysis  
4 framework for the EIS. So the  
5 analysis framework lays out how and  
6 what we are going to analysis in the  
7 EIS. We are analyzing the 2024 build  
8 year because that's when the  
9 construction of the project will be  
10 completed.

11           Per city and state SEQR, the  
12 EIS will evaluate socioeconomic and  
13 environmental disciplines. We have  
14 to look at both long-term and  
15 short-term impacts, as well as  
16 mitigation measures if warranted.  
17 Long-term impacts are once the  
18 project is constructed, and  
19 short-term impacts are temporary  
20 during the construction of a project.

21           And lastly, for all the  
22 socioeconomic and environmental  
23 disciplines, we have to consider the  
24 unavoidable adverse impacts, growth  
25 inducing aspects, and irreversible

## PUBLIC HEARING

and irretrievable commitments of resources.

So I talked earlier about operational impacts, and these are the impacts during the operation of the project. All of the resources listed here on left reveal no significant adverse impacts as a result of the project. Section three of the EIS provides the analysis that demonstrate why we can prove that no significant adverse impacts for these resources.

The two resources listed on the right, "historic and cultural resources" and "urban design and visual resources" had adverse impacts due to the project. And we'll go into more detail on what those impacts were and how they'll be mitigated.

As I mentioned, the project does have an adverse impact of historic and cultural resources. The

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project is subject to the regulations set forth in 1409 of the New York State Historical Preservation Act, which is a counterpart to the Federal National Historic Preservation Act.

As part of 1409 compliance, we have conducted extensive coordination with the State Historic Preservation Office, otherwise known as SHPO, and it has been determined that, first, Wagner Park is eligible for the National Register, and second, there will be an adverse impact on this resource because Wagner Park will be significantly and permanently altered.

SHPO concurred that there were no prudent or reasonable alternatives to the project that would avoid or minimize harm to the existing pavilion at Wagner Park. As a result of this, a letter of resolution will be drafted in coordination with SHPO, and this agreement will identify

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mitigation measures that will be implemented as a result of this impact.

Mitigation measures could include an Historical American Landscape Survey, otherwise known as HALS. This is a process to record historical landscapes in the United States and territories for the House collection at the library of Congress. HALS is a well-established mitigation measure used for situations like the one our project presents on historic resources.

Documentation of Wagner Park prior to construction would include a physical description, historic overview, a statement of significance, project information, high quality digital or large format photographs, a reproduction of select original plans, and historic photographs.

In addition to HALS, other

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mitigation measures could include interpretive panels installed at the new Wagner Park that could describe the original park and the reasons why it was deemed an exceptionally significant National Register eligible resource, a website publicized on site or QR codes that can be activated on site and direct users to a history of Wagner Park and the reasons why it was deemed an exceptionally significant National Register eligible resource. The content could be similar to the panels.

Ultimately, mitigation recommendations that are agreeable to SHPO will be incorporated into the LOR as stipulations, and the LOR will be included in the final Environmental Impact Statement.

The project also will have an adverse impact on urban design and visual resources. The project will



## PUBLIC HEARING

1  
2 result in significant adverse effects  
3 to piers at two locations, the Hudson  
4 River waterfront from Battery Place  
5 in the vicinity of Wagner Park  
6 pavilion, and the south of the Museum  
7 of Jewish Heritage.

8 There are no significant  
9 adverse impacts to any other views or  
10 urban design as a result of the  
11 project. These visual and urban  
12 design impacts are minimized by the  
13 elevated Wagner Park, recreating  
14 unobstructed view of the Statue of  
15 Liberty from the new pavilion, as  
16 shown here on this graphic, and  
17 improved wayfinding. Improved  
18 wayfinding signage at Wagner Park  
19 entrances and pedestrian and visual  
20 enhancements along the Battery Place  
21 walkway will lead pedestrians to this  
22 recreated view of the Hudson River  
23 waterfront and the Statue of liberty.

24 As I mentioned before,  
25 construction impacts are also

## PUBLIC HEARING

analyzed, and these are temporary, lasting only during the duration of construction. So for our project we have a two-year construction duration. All of the resources listed on the left side revealed no significant adverse impact during construction.

Chapter 3.15 of the EIS provides the analysis that demonstrates that why we concluded no significant adverse impacts on these resources. However, open space resources will be adversely impacted during construction, and we'll detail why and how we will mitigate these impacts.

The project is proposed to be constructed, as I mentioned, in 24 months, and it will involve six major construction tasks. Not all the tasks will start at the same time, nor take the full 24 months to construct, except the Wagner Park and

## PUBLIC HEARING

the pavilion. Construction will begin with the pavilion, Museum of Jewish Heritage and Wagner Park, followed by Pier A Plaza, the Battery, and interior drainage components.

As a result of these closures there are unavoidable significant adverse impacts to the open space in the project area, and mitigation measures will be implemented which could include the following:

During the construction in the Battery, the existing Battery bikeway would remain in service. However, a portion of the existing Battery bikeway would be rerouted to maintain connectivity along the City's bikeway network in Lower Manhattan. The Battery bikeway would be rerouted along the Battery's northern boundary from State Street to West Street.

Additionally, to continue to provide public programs and events

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which have traditionally taken place at Wagner Park, BPCA would temporarily relocate all the programs and events from Wagner Park to other parks and open spaces within Battery Park City during the duration of the project's construction.

However, even with the replacement programming, the impacts to open space during construction would not be fully mitigated. BPCA will continue to consider potential options to mitigate these temporary significant adverse impacts during construction.

Should other mitigation options be identified, they will be included as part of the final Environmental Impact Statement.

So what's next after this public hearing? As we mentioned, the public comment period for the DEIS will conclude on June 3rd, 2022. We expect that the final EIS will be

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completed in July 2022, and a SEQR finding statement is anticipated in August 2022 which will conclude the environmental review process.

So with that, I'm going to turn it over to Nora and she's going to go over how you can comment tonight or through June 3rd.

MS. MADONICK: Thank you. So let's take a look at the comment process for tonight's hearing.

As I mentioned earlier, BPCA will not be providing responses to any comments or questions that are raised this evening. Comments made and questions raised during tonight's hearing will be addressed in the final Environmental Impact Statement which is expected to be released in summer 2022.

Tonight, everyone who preregistered to make a comment will have one opportunity for up to three minutes to state their comment or

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question. We will unmute each person in the order in which commenters registered to speak. We'll ask each commenter to please identify yourself, and if applicable, the organization on whose behalf you're speaking at the beginning of your comments.

I will alert each commenter when you have 30 seconds left to wrap up, and will thank you for your comment at the end of three minutes before moving on to the next commenter.

If time allows tonight, we may also be able to hear additional comments from those who did not preregister. And if you have not preregistered and you would like to make a comment tonight, please enter your name, your email, and your address in the QA option in this Zoom webinar. We will hear comments in the order in which commenters post

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their interest in speaking.

If you do not get to finish your comment by the end of your three minutes, please submit your full comments after the hearing by email or mail to Claudia Filomena, BPCA's Director of Capitol Projects at 200 Liberty Street, 24th floor, New York, New York, 10281, or [claudia.filomena@bpca.ny.gov](mailto:claudia.filomena@bpca.ny.gov).

So we're going to get started. If you would, Joseph, would you please unmute Wendy Chapman. Wendy, please tell us your name and your affiliation, if you have one.

Joseph, have you unmuted Wendy Chapman?

MR. SMITH: Yes. Wendy, I believe you have to unmute yourself now that I've given you the option.

MS. MADONICK: Wendy, are you having difficulty unmuting? Hard for you to tell. But if you would put a -- you can put a comment in the chat

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1  
2 if you are having difficulty. If  
3 not, we'll move on to the next  
4 commenter and come back to Wendy.

5 MS. CHAPMAN: I'm sorry. Can  
6 you hear me now?

7 MS. MADONICK: Yes, we can.  
8 Thank you, Wendy.

9 MS. CHAPMAN: Sorry about that,  
10 I was having problems with the  
11 buttons.

12 MS. MADONICK: No, no.

13 MS. CHAPMAN: Thank you for  
14 this update. As I'm on Community  
15 Board One, the Environmental  
16 Committee, I'm one -- I'm the  
17 co-chair with Alice Blank, and we  
18 have seen many of these slides over  
19 the many years. I was trying to  
20 decide how many years it was, but  
21 it's at least four. Do you remember  
22 how many years we've been working on  
23 this? I think it's three or four.

24 But anyway, what I wanted to  
25 say is I've reached the acceptance



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1  
2 stage that we need to do this. And  
3 I've made this comment before, that  
4 we need to have more signage in the  
5 park, and I know people are working  
6 on that, Gwen Dawson said at the  
7 least meeting we had that they're  
8 working on it. But again, you're  
9 breaking ground probably in August,  
10 the end of the summer, and I think  
11 the signs should have been up in the  
12 park months ago.

13 So my biggest criticism of all  
14 this beautiful work that you've done  
15 is that it will come as a great  
16 shock, and people will mourn the loss  
17 of Wagner Park and the surrounding  
18 areas, and, you know, I think you're  
19 getting a lot more backlash than you  
20 would have.

21 So I just want -- Community  
22 Board One has been on record asking  
23 for this for quite some time. So I  
24 think I'll stop there. Thank you.

25 MS. MADONICK: Thank you for

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your comment.

We're going to move on to Britni Erez. Joseph, if you would unmute Britni and then Britni you need to unmute yourself.

MS. EREZ: Hi. Can you hear me?

MS. MADONICK: Yes.

MS. EREZ: Hi, yes, thank you. My name is Britni Erez, I'm part of the Battery Park City Neighborhood Association.

I just want to say that I would echo Wendy's comment, that the public has almost no idea, the larger public has no idea that this is coming, and it's going to come as quite a shock to much of the public.

The other comment that I would like to make is I've gone back and looked at many of the Community Board One's resolutions dating back to 2016, 2017 time, and looking at the designs. It's my perspective that

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much of the feedback has not --  
material feedback has not been  
addressed of those resolutions.

Thank you very much. I  
appreciate it.

MS. MADONICK: Thank you for  
your comment.

Gregory Sheindlin.

MR. SMITH: I don't think  
Gregory is currently with us.

MS. MADONICK: Yes. I saw  
there was a couple of telephone  
numbers and I wasn't sure if Gregory  
was one of those.

All right. We'll move forward.  
Mashi Blech. I also don't see Mashi  
on the list.

Okay. Well, we can come back.  
David Goodman.

MR. SMITH: I'm also not seeing  
David with us at the moment. I think  
he was on earlier.

MS. MADONICK: Okay. Well, we  
can come back. Gabrielle Ajami.

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Looking for Gabriel.

MS. AJAMI: Hello?

MS. MADONICK: Yeah.

MS. AJAMI: Hi, can you hear me?

MS. MADONICK: Yes.

MS. AJAMI: Hi. It's Gabrielle Ajami, hi. So I work for Manhattan Youth. I run the downtown day camp, as well as being an administrator of Manhattan Youth.

First of all, it is my pleasure to be here to testify on the Resiliency plan for Battery Park, and while, you know, this isn't the purpose of the meeting, I'd like to give a shout out for the resiliency work and efforts toward Battery Park and the ball fields.

I grew up in, you know, Downtown Manhattan than in Community Board One, and, you know, I know firsthand the importance of sustainability efforts. You know, I

## PUBLIC HEARING

grew up enjoying the park, Southern Battery Park City, as well as the ball fields and everything that goes along with it.

You know, our community center was flooded -- the Manhattan Youth Community Center was flooded with over \$2 million of damage during Sandy, and in our estimation, we're still not protected. Yet, we applaud the protection of the southern district [inaudible]. We also run the programs at PS 276, and that area is of great importance to us as well as the community.

Our founder of Manhattan Youth, Bob Townley, who could not be here tonight -- it was his birthday so we gave him the night off -- was instrumental in advocating not only for the Battery Park City ball field in the 1990s, but he was also on the planning committee for the master plan for Battery Park City

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[inaudible] parks.

We wanted to acknowledge how important it is to protect Southern Battery Park City, again, for, you know, our community and organization, and everyone [inaudible]. Protecting the institutions of the park of Southern Battery Park City is of huge importance to us at Manhattan Youth, and, you know, we just wanted to say thank you for the opportunity to comment on the plan and for, you know, continuing to allow us to be a part of the conversation and knowing what's going on and up to date.

So thank you.

MS. MADONICK: Thank you.  
Thank you for your comment.

Elyse Buxbaum. Joseph, if you would -- I saw Elyse.

MS. BUXBAUM: Can you hear me  
okay?

MS. MADONICK, Yes. We can.

MS. BUXBAUM: Wonderful. Thank

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1  
2 you. Good evening, and I really  
3 appreciate the opportunity to speak  
4 about the South Battery Park City  
5 Resiliency project. My name is Elyse  
6 Buxbaum. I am a member of the  
7 downtown community where I live with  
8 my family, but I am also the  
9 Executive Vice President of the  
10 Museum of Jewish Heritage, a living  
11 memorial to the holocaust. We're at  
12 36 Battery Place, we're right off the  
13 Hudson, and we're in the middle of  
14 the Resiliency Project.

15 Our work: We are an essential  
16 cultural and educational resource  
17 serving 200,000 visitors annually  
18 including 60,000 students. And this  
19 Resiliency Project really provides  
20 critical protection to the museum,  
21 and especially the 35,000  
22 irreplaceable personal artifacts in  
23 our collection.

24 We sustained severe flood  
25 damage from Sandy and more recently

## PUBLIC HEARING

1  
2 from Irma. The impact was both  
3 physical and financial. And it's  
4 urgent that we complete this work  
5 before the next big storm.

6 The museum has engaged in  
7 multi-collaborative dialogue with  
8 BPCA to ensure our strategic and  
9 operational needs are met. So, in  
10 fact, my first meeting at the museum  
11 was in December 2019 regarding this  
12 resiliency work, so I'm glad to see  
13 as we're moving forward. And along  
14 the way, BPCA has been very receptive  
15 to our feedback.

16 For example, they agreed to  
17 abide by noise restrictions, and  
18 they've ensured vibration tracking by  
19 a third-party monitoring system so  
20 that our exhibitions and visitors are  
21 not disturbed and so that the safety  
22 of the objects in our building are  
23 not jeopardized. And now they're  
24 working with us towards a solution  
25 regarding the use of our driveway and



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access to our loading dock.

The flood bearing system has been designed in a very thoughtful way. It does justice to the public space, which is so critical to our community, and it not only preserves and protects the park land surrounding the museum, but enhances it for further generations.

I just want to say thank you for the work that you're doing.

MS. MADONICK: Thank you for your comment. Elijah Hutchinson.

MR. HUTCHINSON: Hi. Can you hear me?

MS. MADONICK: Yes, we can.

MR. HUTCHINSON: Excellent, thanks.

Hi, I'm Elijah Hutchinson, Vice President of Waterfronts at the New York City Economic Development Corporation. And thank you all for allowing me to express my support for this critical resiliency project

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serving Battery Park City.

Lower Manhattan Coast Resilience is a series of interconnected coastal resilience projects done in partnership with the Mayor's Office of Climate and Environmental Justice that together will protect Lower Manhattan from both regular tidal inundation and storm that would otherwise pose an existential threat to these communities.

At the Economic Development Corporation I lead the planning and early design of our coastal protection portfolio of projects, including Lower Manhattan Coastal Resilience, which includes Brooklyn Bridge Montgomery Coastal Resilience, and the Two Bridges neighborhood, the Financial District Seaport Climate Resilience Master Plan, Seaport Coastal Resilience, and the Seaport and the Battery Coastal

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Resilience at the Battery Wharf to have that Wharf be reconstructed to be more resilient.

Together, these projects make up a coordinated multi-agency initiative to make Lower Manhattan stronger, fulfilling a vision going back about ten years ago to when the concept of the big U was first introduced through Rebuild By Design, a federal competition of innovative infrastructure projects that integrate forward-looking infrastructure with community servicing uses.

It is critical that all of the coastal resilience projects advance so that portions of the shoreline are not left unprotected from the threats of coastal storm surge, extreme rainfall, frequent tidal inundation and heat. Without these projects we leave one of the fastest growing residential communities, and one of

## PUBLIC HEARING

the largest central business districts in the country at risk.

Lower Manhattan is where a critical transportation, drainage, water, sewers, utilities and maritime infrastructure severing the entire city and region intersect. And this is why we have already invested over a billion dollars to advance these projects.

What we have learned since beginning our participation with BPCA through Lower Manhattan Coastal Resilience projects are inherently cross-jurisdictional between agencies, require careful coordination between many city and state agencies, and will produce wide-ranging benefits to the community beyond mitigating the impacts of a changing climate.

These projects will make sure schools don't have to shut down for long period of times like what we

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1  
2 experienced during Sandy, that our  
3 subways can continue running, that  
4 our roads are clear from flooding for  
5 emergency vehicles, that residents  
6 can return to their homes and that  
7 small businesses can thrive.

8 These projects are about the  
9 long-term health and safety of our  
10 communities, about protecting  
11 investments made by families for  
12 future generations, and about making  
13 sure we can literally keep the lights  
14 on.

15 These projects also allow us to  
16 rebuild public open space to be  
17 climate resilient so that they can  
18 continue to benefit future  
19 generations for this community. And  
20 this is why EDC looks forward to our  
21 continued partnership and ensuring  
22 Lower Manhattan is climate ready and  
23 it can serve all New Yorkers as a  
24 place to work, visit, or just catch a  
25 ferry. And these projects are our

PUBLIC HEARING

opportunity to bring these  
waterfronts into the 21st century.

Thank you so much forgive me  
the opportunity to comment.

MS. MADONICK: Thank you.  
Brian Robinson.

MR. ROBINSON: Yes. Can you  
hear me?

MS. MADONICK: Yes, we can.

MR. ROBINSON: Okay. So I am  
Brian Robinson. I don't have any  
affiliation per se. I should, with  
full disclosure, just let you know  
that I am a Democratic candidate for  
congress, and I'm also a Tribecian,  
my daughter plays in Wagner Park, and  
I'm concerned about the pretense of  
why it needs to close. I'm all for  
climate change mitigation, and we of  
course want to protect our city, but  
citing Hurricane Sandy as a  
justification to close a park that  
our kids enjoy on a daily basis is a  
little disingenuous when Wagner Park

## PUBLIC HEARING

1  
2 did not actually flood during  
3 Hurricane Sandy.

4 This park will close for two  
5 years, and I'm just not sold that  
6 it's worth it. I would like to hear  
7 more information -- I'm not saying  
8 that it's not a legitimate project --  
9 but just from looking at the details,  
10 it doesn't strike me as completely  
11 legitimate. And when I look at  
12 NASA's Goddard Institute of Climate,  
13 according to a study done in Lower  
14 Manhattan quite recently in the last  
15 few years, sea level in New York City  
16 has risen on an average of 0.27  
17 centimeters per year, and it's  
18 expected that sea levels in the area  
19 will rise on an average of  
20 0.38 centimeters per year, or  
21 anywhere from 0.175 to 0.6.

22 So over a 20 year span that  
23 amounts to less than four inches.  
24 And while it was stated that Wagner  
25 Park is in jeopardy because it's,

## PUBLIC HEARING

1  
2 what, 7 to 10 feet up, that still  
3 puts it nowhere near any real danger  
4 or threat, in the next 50 years at  
5 that rate.

6 So I'd like to hear more. I  
7 don't like to see green space  
8 disappear. I'm not against climate  
9 change mitigation or, you know, flood  
10 mitigation, but it's just not adding  
11 up for me at this point. Thank you  
12 for letting me testify.

13 MS. MADONICK: Thank you for  
14 your comment. Stacy Pennebaker  
15 (phonetic).

16 MS. PENNEBAKER: Can you hear  
17 me?

18 MS. MADONICK: We can.

19 MS. PENNEBAKER: Good. My name  
20 is Stacy Pennebaker. I'm a resident,  
21 as the previous caller just said, of  
22 Battery Park City, and I just wanted  
23 to, I guess, first of all, thank the  
24 board for a very good preparation.  
25 It was very nice. I am very -- you



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know, I'm surprised and pleased.

But I wanted to make a comparison, I guess at this stage, to Japan, in March 2011 had a huge earthquake and then a tsunami -- tidal wave as a result of the earthquake. And they had sea walls all along the northern east part of Japan, and none of it worked. They had sea walls up to 10 to 15 feet high. And I have pictures, I have articles, et cetera, showing the process of the flooding, and it didn't do -- helpful.

But it also gave a full moral hazard, created a moral hazard, and that, as a result, a lot of people stuck around or didn't act quickly enough and a lot of deaths as a result of people thinking they were safe and protected.

So I just want to bring up another example of -- perhaps another consideration. But I thank the board

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for my testimony and I appreciate it.  
Thank you. Bye-bye.

MS. MADONICK: Thank you. So I  
want to remind everyone who is on the  
call that if you have not yet  
registered to speak and you would  
like to comment tonight, enter your  
name, email, and address in the QA  
portion of the option of the Zoom  
webinar. And we will get to you as  
soon as we can.

I just want to check in with  
the speakers that we called on  
earlier that did not respond.  
Gregory Sheindlin? Make sure is has  
not here. Okay. Because I see we  
have a couple of telephone numbers.  
David Goodman. And Mashi Blech.

Okay. I'm going to move on to  
Christopher Marte, Council Member.

MR. MARTE: Hi, can you hear  
me?

MS. MADONICK: Yes we can.

MR. MARTE: First of all, I

## PUBLIC HEARING

1 want to thank you for the  
2 presentation. I thought it was very  
3 thorough and I enjoyed the video  
4 portion, just to have a better  
5 perspective on what it's going to  
6 look like.  
7

8 My main comment for this  
9 evening is going to be about the  
10 barrier of entrance -- acces for  
11 ordinary residents to actually have a  
12 say in this process. Even signing up  
13 for this meeting, one had to create  
14 an account with Eventbrite and go  
15 through pages to actually be  
16 registered.

17 And I hope Battery Park City  
18 Authority Board, along with their  
19 consultant, work with my office and  
20 state elected official offices, to  
21 engage with residents who are  
22 honestly surprised about what's going  
23 on, though this has been in the works  
24 for years and you have [inaudible]  
25 board.

## PUBLIC HEARING

1  
2 And so we want to make sure not  
3 only that signs are up, as when the  
4 others mentioned earlier, but that we  
5 do more direct outreach to the people  
6 who live there, the people who enjoy  
7 the space so they can actually have a  
8 voice in this process and be able to  
9 engage before the deadline ends later  
10 this summer. But thank you again for  
11 this presentation.

12 MS. MADONICK: Thank you.

13 MR. MARTE: And finally, I'd  
14 just like to say we desperately need  
15 resiliency, and I support the  
16 project, but I think there's a lot of  
17 comments and insights that residents  
18 can provide on what to do with  
19 spaces, in particular, Wagner Park.  
20 Thank you.

21 MS. MADONICK: Thank you. I  
22 see a hand up from a Danielle  
23 Tommaso. Danielle, is there  
24 something I can help you with? Did  
25 you want to register, you had

## PUBLIC HEARING

difficuly registering?

Please remember, if you would like to speak, go to the QA on the Zoom and please enter your name and your affiliation.

I also see a hand up from Martha Gallow. Martha, are you having difficulty registering your name? Nope. There you go.

Alice Blank.

MS. BLANK: Okay. Hi there. Hi, I'm Alice Blank. I'm Vice Chair of Community Board one and Chair of the Environmental Protection Committee, and I know you all very -- well some of you I don't know, there's new folks -- but many of you very well over the years we've worked together tirelessly on this project, along with all the others. And I want to thank you for all the incredible hard work that has been done in producing this DEIS.

I did want to just reiterate a

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1  
2 request -- first of all, the  
3 community board will be, of course,  
4 responding to this, as we have done  
5 for the last five years, with  
6 resolutions, as Wendy Chapman, our  
7 co-chair has mentioned and others. A  
8 lot of what we had worked on together  
9 did not get realized yet, but we  
10 appreciate the level of exchange and  
11 would like and hope for more.

12 And in that vein I wanted to  
13 ask something that came up at our  
14 last board meeting just this week was  
15 a request to extend the comment  
16 period past June 3rd to allow the  
17 folks that did not know about this,  
18 had not yet seen the document, which  
19 was kind of difficult to access for  
20 some of us, whether or not that could  
21 be done.

22 So that's -- I don't expect an  
23 answer right here now, but I did want  
24 to again reiterate that request on  
25 behalf of CB1. And as I said, we

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will be, of course, submitting  
comment. Thank you.

MS. MADONICK: I apologize.

There was a question to make a second  
comment. Comments are being limited  
to one comment per person tonight.  
And there was also a question in the  
chat about whether the recording  
would be made available to watch, and  
it will.

If anyone, else would like to  
comment, if you would put your name  
and affiliation in the QA, I'd be  
happy to call on you.

And I just want to double check  
again, Gregory Sheindlin? David  
Goodman?

Okay. We have no speaker  
requests at this time. The hearing  
will remain open until 9:00. So  
could we put up the "no speakers  
currently" slide, please.

So during this time when there  
are no speakers, you can separately

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enter your name and address in the QA and we will call on speakers when we have more speakers available.

Dorothy Lipsky, I noted you made a comment in the chat. If you would like to make a comment into the hearing, please enter your name and address in the QA and I'll be happy to call on you.

So there was a question asked whether there was an opportunity to ask questions and have them answered. Tonight is a time for the -- for BPCA to hear from the public. BPCA will not be providing responses to comments or questions this evening. However, comments made and questions raised will be addressed in the final Environmental Impact Statement, and you can expect that to be released in summer 2022.

And again, if for any reason you don't want to make an oral statement tonight, you can certainly



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1 submit your comments or questions in  
2 writing via mail to Claudia Filomena  
3 at BPCA's Director of Capital  
4 Projects at 200 Liberty Street, 24th  
5 floor, New York, New York 10281 or by  
6 email to  
7 claudia.filomena@bpca.ny.gov.  
8

9 I note there are a few people  
10 posting comments in chat. You'll  
11 want to send those by email or by  
12 mail, as I just explained.

13 Someone asked that I repeat the  
14 address and email for comments. And  
15 I wonder if whoever is controlling  
16 the presentation could -- thank you  
17 very much.

18 (Whereupon, there were no  
19 speakers from 7:25 P.M. to 7:33 P.M.)

20 MS. MADONICK: So we have no  
21 active speakers at this time. If you  
22 have not yet spoken during hearing  
23 and you would like to do so, please  
24 put your name and contact information  
25 in the QA option of the Zoom webinar

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and I will call on you.

(Whereupon, there were no speakers from 7:33 P.M. to 7:37 P.M.)

MS. MADONICK: [Inaudible]  
Vega?

MS. VEGA: Do you hear me?

MS. MADONICK: Yes, we do.

MS. VEGA: Okay. Hi, thank you. I actually have two comments regarding this Battery Park Resiliency Project.

The first comment is that I don't think that the cost-benefit works best to our community. My understanding is that the project will be built in order to prevent damage from some hundred year storm that we expect to happen, even some predicted sea level rise.

However, how does this compare to how much this project is going to cost? How would the damage from this legendary storm compare to how much we're going to spend on this project.

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1  
2 Because we have to bear in mind that  
3 the cost of this project are a  
4 certainty, while the storm is just  
5 probable. And I yet have to see any  
6 public project that has not gone way  
7 over budget and way over time in  
8 building. So this is my first point.

9 My second point is that I  
10 remember that during Hurricane Sandy,  
11 the sea wall was breached near  
12 Chelsea which then turned the West  
13 Side Highway into a riverbed. And I  
14 don't understand how addressing some  
15 portion while not addressing all of  
16 the possible low places where, you  
17 know, the sea wall can be breached is  
18 going to help.

19 As we know, water runs and  
20 tries to find the lowest elevation.  
21 So just elevating some portion, I  
22 don't see how it's going to help at  
23 all, just spend more money. Thank  
24 you.

25 MS. MADONICK: Thank you for

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your comment.

Mashi Blech.

Joseph, did you -- thank you.

Mashi.

MS. BLECH: You can hear me?

MS. MADONICK: Yes.

MS. BLECH: Okay, great.

I actually think the previous speaker, commenter is correct. It's not an option for New York, Lower Manhattan particularly, to do nothing. I think the evidence is clear that we -- even today I encourage everybody to read the broadsheet, because there's an excellent article in it today about an objective report from the National Oceanic and Atmospheric Administration.

It's not an option to do nothing, and it's not an option just for Battery Park City to do something. All of Lower Manhattan is going to have to take action. And I

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1  
2 think Battery Park City will just be  
3 the first group to do it, and then,  
4 of course, the rest of Lower  
5 Manhattan is going to have to find  
6 funding, but it's not -- to survive.  
7 We're not going to be able to  
8 [inaudible] into many places that are  
9 -- with the rising sea levels and  
10 seeing the devastation there. And  
11 for the places that did nothing, it  
12 was just devastating.

13 So it is costly, but I don't  
14 see that we have a choice to just do  
15 nothing, and I think that it's  
16 imperative for us as a community to  
17 take this seriously and not just hope  
18 for the best.

19 Thank you.

20 MS. MADONICK: Thank you.

21 Again, if you would like to  
22 comment tonight or haven't registered  
23 yet, you can put your name and your  
24 address and email in the QA option of  
25 the webinar, the Zoom webinar, and we

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will call on you.

(Whereupon, there were no speakers from 7:43 P.M. to 7:56 P.M.)

MS. MADONICK: Whomever is controlling the presentation, please put the next slide up. Thank you.

I knew a few people have signed opposed. If you wish to make a comment for this public hearing, please put your name and contact information in the QA option of this Zoom webinar and you will be called on.

(Whereupon, there were no speakers from 7:57 P.M. to 8:10 P.M.)

MS. MADONICK: Bejal Shah.

MS. SHAH: Yes, thank you.  
Good evening.

My name is Bejal, and I'm a Tribeca resident, and I'm also a parent of three young children. I have lived in this area for over a decade, and in fact, I lived through Hurricane Sandy as a FIDA (phonetic)

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resident at the time.

I absolutely support resiliency, but I'm troubled that this project does not take into account the needs of the community. The families that live in Lower Manhattan are looking for more active green spaces, spaces for children to run and play. And the neighborhood is already short on field space with the growing number of families in the area. My children participate in the soccer leagues and the baseball leagues, and they are at maximum capacity, and looking for other creative ways to create more field space.

And, you know, looking at this project, there are so many other alternatives that could be -- instead of commercial space, the neighborhood has enough commercial space and establishments, and it shouldn't be, especially at the expense of any park

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space.

This neighborhood has community centers and gathering spaces for adults, and those space are already underutilized. So it's clear to me from the information that's been disseminated on this project that the community's needs won't be met.

Thank you.

MS. MADONICK: Thank you for your comment.

And again, if anyone, else would like it comment, please place your name and address and email into the QA option on this webinar and you'll be called on.

(Whereupon, there were no speakers from 8:12 P.M. to 8:45 P.M.)

MS. MADONICK: There are about 15 minutes left in tonight's hearing. If you would like to make a comment and haven't done so yet tonight, please put your name and contact information into the QA option of the



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Zoom webinar and I will be happy to call on you.

(Whereupon, there were no speakers from 8:46 P.M. to 8:55 P.M.)

MS. MADONICK: There are about five minutes left to this hearing. If you have not spoken and would like to, please put your name and contact information in the QA on the webinar and I will be happy too call on you.

(Whereupon, there were no speakers from 8:55 P.M. to 9:00 P.M.)

MS. MADONICK: I'd like to thank you for attending the public hearing on the draft Environmental Impact Statement for the South Battery Park City Resiliency Project. The Battery Park City Authority appreciates your interest in the project and your participation in tonight's public hearing. Comments will be accepted until June 3rd. This hearing is now ended.

(Time noted: 9:00 P.M.)



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**A.5.2 Manhattan Community Board 1 Comment on SBCR  
Draft Environmental Impact Statement (DEIS)  
June 10, 2022**



**The City of New York  
Manhattan Community Board 1**

**Tammy Meltzer** CHAIRPERSON | **Lucian Reynolds** DISTRICT MANAGER

**South Battery Park City Resiliency**  
**Comment on Draft Environmental Impact Statement (DEIS)**  
**June 10, 2022**

We write today to communicate Manhattan Community Board 1's (CB1) comments on the South Battery Park City Resiliency (SBPCR) Draft Environmental Impact Statement (DEIS). While we support the need for resiliency infrastructure in Lower Manhattan, CB1 has repeatedly questioned the need to raze Wagner Park and the pavilion, and is on record opposing this approach. We believe that pursuing this approach has resulted in unavoidable significant adverse impacts as it relates to urban design and visual resources. CB1 has made extensive comment on SBPCR over the years, including resolutions in September 2017, May 2017, December 2018, February 2020, letters to the NYC Public Design Commission in May 2021 and April 2022, and a letter to the Battery Park City Authority (BPCA) in May 2022. It is crucial that the public has a full understanding of the impacts of SBPCR plan. In response to the DEIS, CB1 formally submits for consideration the full package of comments CB1 has made on SBPCR, and we highlight the following from the DEIS for consideration during the preparation of the Final Environmental Impact Statement (FEIS):

**Purpose and Need**

Over the past 6 years, CB1 has carefully reviewed the plans for SBPCR and has consistently questioned the "purpose and need" of the SBPCR project as it relates specifically to the demolition of the existing park, promenades and park pavilion. Contrary to what is stated as part of the project's purpose in the DEIS, the existing park and pavilion were not flooded during Superstorm Sandy— a once in a century storm—and no residents within the vicinity of the SBPC were significantly compromised. The original landscape architect of the award winning park, Laurie Olin (Hanna Olin) stated he designed the park at an elevated level, one of the highest points of Lower Manhattan and did not believe the raising of the existing park was required. Additionally, the 2017 project designed by Perkins Eastman (Alternate 1) did not include the demolition of the park, and included options to provide resiliency measures while retaining the current design.

The loss of Wagner Park, only 30 years old and the existing pavilion is profound. As noted by SHPO, "Wagner Park is significant under National Register Criterion A in the area of community and urban planning, under Criterion C in the areas of landscape architecture and architecture, and meets the standard for exceptional significance necessary to satisfy National Register Criteria Consideration G for properties less than fifty years old" (Cumming, February 23, 2021).

Like SHPO in a letter dated (Feb 9, 2022), the community questions the need to demolish the pavilion and does not agree with the assertion that it could not be adequately renovated.

### **Alternatives Evaluated**

Professional planners, architects, landscape architects and engineers on CB1 and in the community asked to see additional alternatives that included a careful review of the possibility of raising the streets in the immediate area and allowing the park to act as a passive barrier with access to the water as is the stated and accepted strategy at both the neighboring Battery and Hudson River Parks. The FEIS should include a full explanation of these alternatives.

The community believes that most of the site planning design and programming elements noted under “Incorporating Community Engagement and Design Heritage into the New Design of Wagner Park” in the DEIS have been met. The CB is on record asking for 1) better connections to the arrival at street level along Battery Place; 2) more green space, less hardscape and more recreational areas; 3) accessible ascent via elevator to enter; 4) better scaled (smaller) and true “pavilion in the park” rather than imposing structure; 5) better access to waterfront with step downs and WEDG certified passive landscape features. The community was not provided with an opportunity to discuss the final location of the art and did not request an “arched and vaulted facade design.” The community was not involved in the early architectural design of the pavilion or landscape design for the park. Rather, the community was asked to react and opine on a relatively finished product after the Perkins and Will 2017 Alternate 1 was removed.

### **Urban Design and Visual Resources**

The community challenges the assertion that the SBPCR preserves “the character and design aesthetic of the community....particularly views of the harbor and Statue of Liberty.” The project provides no view from the urban streetscape anywhere near the new park. The existing Park entrance at street level under the existing pavilion’s arch provides one of the most iconic views onto the NY harbor. This view will now be completely obliterated at street level and will only be attained after a long and arduous ascent. The community strongly believes that the proposed action does not adequately minimize the adverse impacts on view from Battery Place to the Hudson River Waterfront and the Statue of Liberty. (see DEIS page 3.5-41)

Much concern has also been raised about the aesthetics and size of the new park building which is much taller, bulky and imposing than the existing award winning Machado and Silvetti park pavilion. The proposed building includes a singularly unceremonious service entrance, located along Battery Place, directly centered on the entry to the site, one story above, yet adjacent to the street level entry of The Museum of Jewish Heritage. The design makes the assumption that all visitors coming to Wagner Park will be able to ascend approximately 150ft long ramps, which is neither reasonable nor equitable. For example, elderly with walkers or those with mobility issues who are not in wheelchairs would have great difficulty to ascend, particularly in inclement weather.



There is no handicap access to the elevator from street level to visit the park. The community was advised that design purposely discourages elevator use to avoid the costs associated with elevator security and maintenance. The community continues to believe this is a woefully inadequate reason to deny full accessibility.

### **Hazardous Materials**

Regarding hazardous materials, the DEIS states that, “Construction of the SBPCR Project would require both demolition and disturbance of existing structures within the Project Area and subsurface disturbance that could encounter contamination within soil and/or fill.” Further, that “given the results of the subsurface investigations, hazardous materials are likely to be encountered during construction of the SBPCR Project. Prior to disturbing soils in connection with the construction of the SBPCR Project, a Remedial Action Plan (RAP) and Construction Health and Safety Plan (CHASP) (see Appendix D) has been developed for implementation during construction activities. The RAP and CHASP propose measures to ensure that exposure to contamination both during and after construction is minimized , in order to protect construction workers, site employees and neighborhood residents.”

In light of recent concerns among the community based on the DEIS, CB1 requests more information and clarity on the soil sampling in Wagner Park and throughout the construction area that specifies any potentially hazardous materials within the soil that may be disturbed during construction, and mitigation measures in place to safely remediate and minimize community impacts. On June 8, 2022, BPCA provided to CB1 a letter with responses to ongoing questions and concerns, and the letter included a memo from AECOM (Subject SBPCR Soils Analysis, June 7, 2022) providing more detail on the issue of potentially hazardous materials. We request that this additional information is included in the FEIS, as well as a full explanation of the mitigation procedures and oversight be provided, including CAMP locations and daily monitoring records. The CB also urges BPCA to keep the public fully informed frequently about the nature of the potential hazards during the construction process, and the details of the Remedial Action Plan and Construction Health and Safety Plan, including posting of daily monitoring records and monthly meetings with community stakeholders for updates on construction and hazards.

We understand from the June 8, 2022 letter from BPCA that while it is expected that no lead or asbestos was used in the construction of the Wagner Park Pavillion, testing to confirm this expectation will be conducted in the coming weeks, prior to the commencement of demolition, and that results from the tests will be shared with CB1 as soon as they are available. CB1 requests that information and results from this testing is documented in the FEIS, confirming that there is no need to conduct lead or asbestos abatement with regards to the demolition of the Wagner Pavillon. If lead or asbestos is detected during the upcoming testing, CB1 requests that the FEIS include information on remediation and safety measures for the removal of those materials.

Lastly, we ask that the FEIS provide special consideration to the fact that Wagner Park is in very close proximity to the epicenter of the 9/11 event and that every precaution be taken to assure the environment at this site is kept safe and that all health and safety protocols are followed.

### **Natural Resources**

The loss of 114 full growth trees as a result of this project is profound and in complete contradiction to the City's goals toward sustainability and resiliency in the greening of our urban fabric. The community requests that a landscape plan be provided in the FEIS indicating the location of the trees being removed, replaced and where the promised 86 new trees are being planted.

The project does not adhere to the WEDG guidelines despite claiming WEDG certification. The community does not believe there is anywhere near enough of the passive landscape features and access to the water required in the WEDG guidelines and urges this be included in the FEIS.

### **Traffic & Transportation**

CB1 is concerned about the traffic and circulation impacts over the next two years during construction of this project. As requested by CB1, BCPA has provided a plan showing the pedestrian, bike and car traffic flow to better understand exactly what will, and will not be available to the public for the next two years. We request that the FEIS include details on how this circulation will be monitored to ensure proper circulation and safety, and how further changes will be made if needed.

CB1 has requested acknowledgement from the NY Department of Transportation, BPCA, Downtown Alliance, and New York City Transit (NYCT) that there is a plan to relocate bus stops to accommodate construction mobilization and staging as well, and also a confirmation that this plan will incorporate CB1 requests as possible and community review as part of the plans. BPCA has responded that once they have received the contractor's initial proposed plan to temporarily relocate existing bus stops, the proposed plan will be provided to CB1 for input and comments before it is submitted to NYCT, NYCDOT, and the Downtown Alliance. It is of the utmost importance to engage the public on this matter to ensure that transportation access and safety is maintained throughout construction, and that engagement can continue after the plan is implemented so that adjustments can be made if necessary. CB1 requests that this is memorialized in the FEIS.

CB1 requests a revised plan with architectural drawings that we can see and share publicly that show inclusion of a bike lane along Battery Place, or a plan that shows how bike users may be effectively diverted from the Battery Bike Path to the Hudson River Greenway. This is already an issue that will only be exacerbated by construction in Wagner and has not been included in the new designs.

## **Open Space**

In terms of the long-term impact, CB1 has repeatedly questioned the need to demolish and redevelop the park and the pavilion, and is on record opposing this approach, including pointing out that design principles encouraged by Parks Without Borders are not reflected in this proposal for Wagner Park nor the northern end of The Battery. The community has questioned the significant removal of long established trees which provide large shade canopies and are not able to be replaced in this current design. CB1 members have requested assurance that new green space in Wagner Park will be as large, or larger, than the existing space and have noted the importance of keeping as many trees as possible.

CB1 has previously suggested that the proposed stone walls encircling the park should be carefully reviewed to incorporate the requests by The Battery Conservancy to green and or design both sides to enhance the public experience and perhaps engagement, and is disappointed that these suggestions were not incorporated. Given the psychological impact of a giant wall encircling an open space, we request that the FEIS incorporate information on how an alternative of greening the wall may improve the experience and impact of the open space.

Regarding short-term impact during construction, the DEIS states that, “the SBPCR Project would have a temporary significant adverse impact on open space near the Museum of Jewish Heritage, Wagner Park, Pier A Plaza, and The Battery during construction. Portions of the Battery Park City Esplanade near the Museum of Jewish Heritage, entirety of Wagner Park, portions of Pier A Plaza, and portions of The Battery within the Project Area would be closed for the entire 24- month construction duration from July 2022 to July 2024. To continue to provide public programs and events which have traditionally taken place at Wagner Park, BPCA would be temporarily relocating all of those programs and events to other parks and open space within Battery Park City for the duration of the Proposed Action’s construction...However, even with this replacement programming, the impacts to open space during construction would not be fully mitigated. BPCA will continue to consider potential options to mitigate these temporary significant adverse impacts during construction. Should other mitigation options be identified, they will be included as part of the Final Environmental Impact Statement.”

CB1 has major concerns about the impacts to open space of the area during construction of the project. Lower Manhattan has a dearth of open space, and the open spaces within the SBPCR area represent a significant percentage of the district’s open space that will not be available to the public. CB1 requests to be engaged on specific plans for mitigating this impact, which must be included in the FEIS in order to ensure to the community that sufficient planning is ongoing to prevent a disruption of open space access during several years of construction. This must include a robust communication plan for engaging with all local residential building tenants, schools, daycare centers, afterschool programs, and private instructional centers about SBPCR and open space alternatives for their kids. We also request that the FEIS include details on how BPCA is coordinating

with the Battery Wharf and other Lower Manhattan Coastal Resiliency (LMCR) projects to minimize impact to the community.

The CB asks that the FEIS include scaled existing conditions and proposed project plans of the open spaces of the project at Wagner Park allowing for a full understanding of the alterations.

### **Phasing and Impacts**

The CB requests that the phasing of each section of the project be designed to maximize available open space for the public. CB1 urges the BPCA to leave access to Wagner Park through the summer of 2022.

CB requests that the staging area for construction equipment, as shown on the current construction staging maps adjacent to apartment buildings and The Museum of Jewish Heritage - a Living Memorial to the Holocaust be relocated away from both buildings to minimize community impact. The construction storage staging entrance is located and impacts the crosswalk for families, staff and students accessing daily to PSIS276 and P94M. This will further negatively impact the bus pick up and drop off of the special needs students for P94M and the after-school programs. There is currently no crossing guard available on a permanent basis and the staging area will negatively impact access and safety for the schools.

CB1 demands that BPCA determine a different staging location as there is no community benefit to removing open space that is not due to be demolished in the back of the Museum for a construction staging area.

Furthermore, Wagner Park and the space adjacent to the Museum of Jewish Heritage is utilized as an emergency/crisis staging area for the over 900+ students, faculty and staff of PSIS 276 and the PS 94M. CB1 insists that BPCA work with both schools to determine another safe location for egress and gathering in case of emergency.

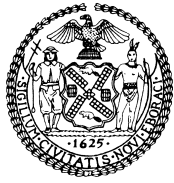
### **Public Policy**

The project does not fulfill its obligation to adhere to the policy directive OneNYC2050 (OneNYC) which outlines the City's sustainability goals to reduce GHG emissions by 80 percent by 2050 sending zero waste to landfill by 2030. The demolition of the park and the creation of a new park has incomparable waste and cost associated with it. The community urges that the FEIS provide a detailed accounting of the cost benefit in this demolition and a full assessment of the carbon footprint for the demolition and construction of the pavilion and new park.

### **Shadows**

The proposed new park building is 47' high, 10' higher than the existing Wagner Park pavilion (37' high). The DEIS states that the new location of the proposed building, east of the existing, would

allow that “both structures cast a similar shadow pattern on the same areas of Wagner Park. “ The CB asks that the FEIS include the existing pavilion’s shadows to allow for this comparison to be understood and confirmed.



**The City of New York**  
**Manhattan Community Board 1**  
Tammy Meltzer CHAIRPERSON | Lucian Reynolds DISTRICT MANAGER

May 27, 2022

B.J. Jones  
President & Chief Executive Officer  
Battery Park City Authority  
200 Liberty Street, 24th Floor  
New York, NY 10281

**RE: South Battery Park City Resiliency**

Dear President Jones:

We write today to follow up on pending requests, and to communicate ongoing questions and concerns regarding the South Battery Park City Resiliency project (SBPCR) that were raised during the May 2022 meetings of Manhattan Community Board 1 (CB1). While we support the need for resiliency in Lower Manhattan, CB1 has repeatedly questioned the need to raze the park and pavilion and is on record opposing this approach. CB1 has made extensive comment on SBPCR over the years, including resolutions in September 2017, May 2017, December 2018, February 2020, and letters to the NYC Public Design Commission in May 2021 and April 2022 ([see documents here](#)). It is crucial that the public has a full understanding of the SBPCR plan, the implications for its implementation, and impacts during phases of construction. CB1 requests the following:

- Originally requested at CB1's April 2022 Environmental Protection Committee meeting, a plan showing the pedestrian, bike and car traffic flow to better understand exactly what will, and will not be available to the public for the next two years.
- Acknowledgement from the NY Department of Transportation, BPCA, Downtown Alliance, and New York City Transit (NYCT) that there is a plan to relocate bus stops to accommodate construction mobilization and staging as well. A confirmation that this plan will incorporate CB1 requests as possible and community review as part of the plans.
- Robust communication plan for engaging with all local residential building tenants, schools, daycare centers, afterschool programs, and private instructional centers about SBPCR and open space alternatives for their kids.
- A fly-through illustrating SBPCR.
- CB1 requests a revised plan with architectural drawings that we can see and share publicly that show inclusion of a bike lane along Battery Place, or a plan that shows how bike users may be effectively diverted from the Battery Bike Path to the Hudson River Greenway. This is already an issue that will only be exacerbated by construction in Wagner and has not been included in the new designs.

- CB1 requests more information and clarification on the storage/staging plan during construction, including confirmation that it will be out of view and will not obstruct pedestrian/cyclist flow.
- CB1 requests more information and clarification on whether an elevator would be possible for the public to access the pavilion structure.
- CB1 received notification of the SBPCR DEIS on May 4, 2022. A public hearing on the DEIS was held on May 19, 2022, and the deadline for public comment is June 3, 2022. Thirty days in and of itself is a very short amount of time for the public to review, digest and prepare comment on a highly technical document that is over 400 pages long. Members of the public relied on the presentation on the DEIS to be able to understand the content of the DEIS, and after the May 19 hearing on the DEIS, that leaves only two weeks left to prepare feedback by the deadline. CB1 urges that the deadline for comment on the DEIS is extended to allow the public sufficient time to understand the material and prepare a response.
- In light of recent concerns among the community based on the DEIS, CB1 requests more information and clarity on the soil sampling in Wagner Park and throughout the construction area that specifies any potentially hazardous materials within the soil that may be disturbed during construction, and mitigation measures in place to safely remediate and minimize community impacts.
- CB 1 requests additional confirmation that there is no need to conduct lead or asbestos abatement with regards to the demolition of the Wagner Pavillion.

Sincerely,



Tammy Meltzer, Chairperson



Alice Blank, Vice Chairperson  
Chair, Environmental Protection Committee

CC: Manhattan Borough President Mark Levine  
City Councilmember Christopher Marte  
Assemblymember Yuh-Line Niou  
Assemblymember Charles D. Fall  
New York State Senator Brian Kavanagh  
New York City Public Design Commission  
Mayor's Office of Climate and Environmental Justice  
NYC Economic Development Corporation



**The City of New York**  
**Manhattan Community Board 1**  
**Tammy Meltzer** CHAIRPERSON | **Lucian Reynolds** DISTRICT MANAGER

April 10, 2022

Signe Nielsen, President  
Public Design Commission of the City of New York  
City Hall, Third Floor  
New York, NY 10007

Dear President Nielsen:

**RE: Lower Manhattan Coastal Resiliency - South Battery Park City Resiliency (SBPCR) & The Battery Wharf**

We write today to follow up on two resiliency items that Manhattan Community Board 1 (CB1) received updates on in March 2022.

**Battery Wharf**

CB1 adopted a resolution on the Battery Wharf project in September 2021 ([see resolution here](#)), when the project was at 50% design completion. There are remaining questions and concerns from the September 2021 resolution that have not yet been remedied or addressed, including the future of the National Parks Service tent and the community's desire for a clearer understanding of the various elevations of protections on the peninsula of Lower Manhattan, how/why they were chosen and how they work together. We hope that the applicants will address these items and report back to CB1 before reaching a final design.

During the March 2022 presentation to CB1's Environmental Protection Committee, the following comments were made:

Regarding the Pier A Tie-In, members expressed an interest in making the ramps and pathways flow more fluidly into the park, in making sure plans allow for flexibility to use Pier A in the future (which should remain public), and consideration for use for historic boats to moor at Pier A. For the East End Tie-In, there is a concern of the Coast Guard site's integration into resiliency plans (which has two breach points on both sides of the existing building), and a request for more information on how the site will be incorporated into future plans, including how the wharf and existing pier will be treated there, and the potential for siting the security checkpoint at the Coast Guard site. In response to the sea rail design, members expressed concern that there are more proposed bollards (from 19 to 29), and art panels which makes the design visually dense, and that there would be support for reducing them to preserve an open view. Presenters expressed assurance that this project is coordinated with SBPCR plans, and that CB1 would be provided with a plan that allows clear access to and use of the Battery when the project starts. CB1 is disappointed that specific suggestions for the exposed flood wall at the north end of the



Battery, such as the incorporation of historic maps, have not been integrated into the design. Further, CB1 is disappointed that the Department of Parks & Recreation has not answered the request to engage with CB1 on the design for the Northern End of The Battery which is incorporated into SBPCR.

### **South Battery Park City Resiliency**

CB1 has made extensive comment on SBPCR over the years, including resolutions in September 2017, May 2017, December 2018, February 2020, and a letter to PDC in May 2021 ([see documents here](#)). From the start, CB1 has questioned the original 2016 Wagner Park Site Assessment and the need for resiliency work to be prioritized in a park located on Lower Manhattan's highest ground (relatively untouched during Superstorm Sandy.) While early presentations to CB1 on the findings showed a path to protect the existing lauded designs, BPCA decided that the long term repair and maintenance outweighed the design preservation. CB1 has repeatedly questioned the need to raze the park and pavilion and is on record opposing this approach, including pointing out that design principles encouraged by Parks Without Borders are not reflected in this proposal for Wagner Park nor the northern end of The Battery. The community has questioned the significant removal of long established trees which provide large shade canopies and are not able to be replaced in this current design. The proposed stone walls encircling the park should be carefully reviewed to incorporate the requests by The Battery Conservancy to green and or design both sides to enhance the public experience and perhaps engagement.

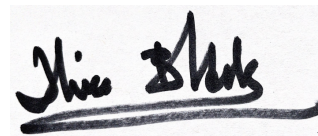
There are a number of items CB1 has raised over these years that have not been addressed. The condition along Battery Place is unresolved, and much concern has been raised that the new park building is denser, bulkier and more imposing than the existing park pavilion and that the building's unceremonious service entry is located along Battery Place, adjacent to the street level entry of The Museum of Jewish Heritage. The design makes the assumption that all visitors will be able to move up approximately 150' long ramps, which is neither reasonable nor equitable. For example, elderly with walkers or those with mobility issues who are not in wheelchairs would have great difficulty to ascend particularly in inclement weather. There is no handicap access to the elevator from street level to visit the park.

The current beloved park design allows the pedestrians and vehicular traffic to see the park, lawns and views out to the Statue of Liberty, but the new design walls off the entire area from any public views. The red concrete to match the pavilion is unsuccessful for the area of the service entry where the building meets the ground. CB1 members questioned the architect's view that the red color "harmonizes with the masonry of downtown Manhattan." Stone surface at the base of the building along Battery Place would allow for consistency and coherence with the many existing and new retaining and flood walls to be located in Wagner Park and The Battery. Further, CB1 is not supportive of the removal of five trees at Battery Place. CB1 members have requested assurance that new green space in Wagner Park will be as large, or larger, than the existing space and have noted the importance of keeping as many trees as possible. It is of the utmost importance that the two-year construction period is timed with the Battery Wharf work to allow public access to parks and to the esplanade.

Sincerely,

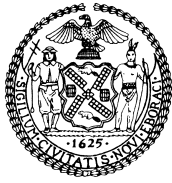


Tammy Meltzer, Chairperson



Alice Blank, Vice Chairperson  
Chair, Environmental Protection Committee

CC: Manhattan Borough President Mark Levine  
City Councilmember Christopher Marte  
Assemblymember Yuh-Line Niou  
Assemblymember Charles D. Fall  
New York State Senator Brian Kavanagh  
Battery Park City Authority  
Mayor's Office of Climate and Environmental Justice  
NYC Economic Development Corporation



**The City of New York**  
**Manhattan Community Board 1**  
**Tammy Meltzer** CHAIRPERSON | **Lucian Reynolds** DISTRICT MANAGER

May 7, 2021

Signe Nielsen, President  
NYC Public Design Commission  
City Hall, Third Floor  
New York, NY 10007

**Re: South Battery Park City Resiliency**

Dear Commissioner Nielsen:

I am writing today to inform the Public Design Commission (PDC) of Manhattan Community Board 1's (CB1) questions and concerns that have not been adequately addressed concerning the Battery Park City Authority's (BPCA) South Battery Park City Resiliency Plans (SBPCR). The community has provided a great deal of feedback to the BPCA, and CB1 has adopted four resolutions over the past five years in response to this very impactful project (September 2017, May 2017, December 2018, and February 2020 attached). Unfortunately, little of the community's feedback has been incorporated into the BPCA's final plans.

BPCA has announced that the SBPCR plans are now 95% complete and that construction will begin next year. The existing award winning Laurie Olin landscape and Machado and Silvetti pavilion are to be demolished and replaced, thereby closing access to the Park for a minimum of two years. To date, the BPCA presentations have not included scaled architectural construction plans, details or material palettes for most of the major elements of this project, including for the Wagner park concession building (aka "pavilion"), the Battery flood walls, Pier A columns, benches, planters, gates, ramps, handrails or wayfinding signage. We assume these documents exist if the plans for the City's portions of the project are being submitted to the PDC for Final Review; it is critical the community be provided with an opportunity to review these final documents, and for additional time to work further with the BPCA to assure the community's feedback is recognized and better incorporated into the final project.

The community's feedback thus far has been robust and includes both large and small scale recommendations. From the start, CB1 has questioned the original 2016 Wagner Park Site Assessment and the need for resiliency work to be prioritized in a park located on Lower Manhattan's highest ground

(relatively untouched during Superstorm Sandy.) CB1 has repeatedly questioned the need to raze the park and pavilion and is on record opposing this approach.

The BPCA's proposal to demolish the existing park and pavilion now seems inevitable. Many concerns have been raised about the new plans for the park, park building, Pier A Plaza and the Battery entrance. These concerns include but not limited to the following with regard to some of the design features:

#### Park Building (aka Pavilion); Entrance from Battery Place

The community has asked for a better understanding of what informs the new park building's form, size, program, circulation and material selection. Many in the community strongly object to the building's service entrance facing onto Battery Place. This service entrance facade is still unresolved. The existing entry point to the Park under the pavilion's arch, offering views to the harbor and Statue of Liberty will now become an unwelcoming series of berms and service entry doors. Also problematically, there is no elevator access from street level. Visitors must ascend a 150' long ramp (pushing strollers, wheelchairs (at times in inclement weather)) to enter the park. Questions have been raised about the schematically presented proposed materials and details such as the steel mesh hand rails for the ramps. Further, there are still unresolved concerns about potential conflicts between pedestrians, skateboarders and cyclists using the same ramps. CB1 has asked that BPCA provide a bike path, separate from the pedestrian access esplanade along Battery Place.

#### Flood Walls in The Battery, Pier A, Wagner Park

The community understands the reality that flood walls are a necessary part of the City's new kit of parts in response to climate change. The SBPCR project provides an opportunity for the City to review alternate approaches for the design of these walls. To date, BPCA has not presented to the public scaled drawings or details of the flood walls in any of the proposed locations.

#### The Battery

The Battery Conservancy has shared excellent recommendations to the BPCA about stone type, texture and potential uses for the wall. Given the Battery wall's very significant size, at approximately 9'-0" high by 90' long, and the wall's strategic location at the entry of the Battery, the wall's surface must be carefully reviewed. Suggestions have been made by the community to soften the hard edge quality of the wall by adding planting, and to use the thick 5'-0" wide base as an area for additional seating. Recommendations have also been made to animate the wall's surfaces with art, such as engraved historic maps, to be funded by the City's Percent for Art program. Additionally, CB1 has requested an engineering study considering a smaller wall and/or berm in consideration of the raising of The Battery Wharf as part of the Lower Manhattan Coastal Resiliency project.

CB1 has concerns over The Battery in the context of this proposal, specifically in regards to the removal of trees and plantings, engineering, and the walling in of the area. As it currently exists, The Battery is open, welcoming and accessible and this proposal would result in an area that is more enclosed and less hospitable. Design principles encouraged by Parks Without Borders are not reflected in this proposal. If such a large wall is deemed necessary, there must be a dialogue on what

is occurring on both sides of the proposed wall, and we urge PDC to engage directly with The Battery Conservancy to fully understand and ameliorate these concerns.

#### Pier A columns

The columns in front of Pier A plaza at the entry to the Battery are large and imposing, and are an important entry point from the north and from Wagner Park. The BPCA has not yet provided scaled architectural drawings and details of the columns or views of what the columns will look like from the south end of the Battery or how precisely the flood gates will attach and operate. CB1 is on record of strongly objecting to the flood gate columns in the original proposal by Perkins and Eastman located along the west harbor edge of Wagner Park and want to be assured these will form a coherent design with the walled entry to the Battery.

#### Circulation around Wagner Park

The original plans from 2016 resolved to form a much needed connection between the Wagner Park esplanade and Pier A. The current proposal does not provide this connection. The BPCA has not presented drawings or details for the barriers proposed along the esplanade walk in addition to the ramps and benches throughout the park. Additionally, the current plan further allows bicyclists the ability to flow into the ramps/allays of Wagner park without any defined alternatives, and no bike racks have been illustrated. Finally, Wager Park is currently open and inviting on all sides and especially along Battery Place; the new proposed design walls in the space to become a park with borders that separates and isolates the public from any visual or physical connection to the water.

#### Interior Drainage Regulator Control Houses

BPCA has promised to return to the CB with locations and drawings of the proposed control houses which merit close review, and CB1 has requested to discuss alternative locations in order to minimize the impact on public space. The Control houses are consequential in size at approximately 11-0" high and 70' long and will be located in various parts of the city as required for drainage. Additionally, the BPCA has said that the interior drainage itself is not yet resolved with the NYC Department of Environmental Protection. It is critical the public is assured that the entire drainage system works, including the inland drainage and its architectural consequences prior to approving this very imposing line of storm defense.

We urge the Commission to require the BPCA to present the important additional information requested by CB1 and to further engage with the public, responding directly to their specific feedback, on the final design for the SBPCR prior to issuing their final approval on this project. Please contact me if you have any questions or wish to discuss further.

Sincerely,

A handwritten signature in black ink, appearing to read "T. Meltzer", with a stylized flourish at the end.

Tammy Meltzer, Chairperson

COMMUNITY BOARD 1 – MANHATTAN  
RESOLUTION

DATE: FEBRUARY 25, 2020

COMMITTEE OF ORIGIN: ENVIRONMENTAL PROTECTION

COMMITTEE VOTE:	7 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	2 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	0 In Favor	0 Opposed	0 Abstained	0 Recused

RE: South Battery Park City Resiliency Plan (Pier A Plaza, Wagner Park, Museum of Jewish Heritage and the North Battery)

WHEREAS: Lower Manhattan is underserved with green space. Our parks are critically valuable resources that provide respite, biodiversity, shade and contribute to our cultural heritage; and

WHEREAS: BPCA describes the proposed project as follows: “The South Battery Park City Resiliency Project contemplates creation of a continuous flood barrier from the Museum of Jewish Heritage, through Wagner Park, across Pier A Plaza, and along the northern border of Historic Battery Park. With construction scheduled to begin in 2020 and end in 2022, Battery Park City is committed to constructing a perimeter storm and flood protection system on its southern boundary. This structure will decrease vulnerability from storm inundation and flooding;” and

WHEREAS: CB1 would like to thank the BPCA for their dedication and work in actively engaging with the community on their resiliency plans. The Authority’s efforts to update the community and engage with city agencies responsible for the Lower Manhattan Coastal Resiliency (LMCR) plans is laudable. CB1 is grateful to have the opportunity to express the issues they would like to see addressed during the ongoing design phases; and

WHEREAS: CB1 understands that the work is at 30% to 50% complete and has had a schematic review at the Public Design Commission (PDC); and

WHEREAS: CB1 has adopted three resolutions on Wagner Park (5/23/17) (9/26/17) (2/19/18). Some items have been addressed, others not. The outstanding issues include: 1) disregard of CB1’s urging to leave the pavilion and park intact; 2) need to make esplanade and Chambers Street and West Street priority before Wagner Park; and 3) review of other alternatives that could allow for money, parks and natural habitats to be saved; and

WHEREAS: For instance, CB1 is interested in the Department of Transportation (DOT) exploring the alternative of raising the streetbed to be used as passive flood protection for future resiliency projects. Lower Manhattan is starved for green space and CB1 believes this may be an alternative to redesigning adjacent parks in order to reduce risk from storm surge and sea level rise. However, BPCA has stated that this approach is beyond the scope of the South Battery Park City Resiliency project, and generally not feasible due to the impact on existing

buildings along Battery Place; the impact on NYC Department of Environmental Protection (DEP) water infrastructure; risk of induced flooding to adjacent properties; and the consequence that parks on the river side of the wall would be wholly sacrificial and therefore subject to ongoing and increased damage and repairs, limiting public accessibility; and

WHEREAS: As the Wagner Park's restaurant is already at a considerable elevation, CB1 believes there is not a strong enough case for replacing it; nor do we believe that it is the highest and best use of resiliency funding; and

WHEREAS: Wagner Park is an award-winning landscape with beautifully crafted materials including Roman bricks to match the restaurant, built-in benches framing the lawn, lighting that reinforces the elegance of the design; and

WHEREAS: CB1 believes that the design of the Battery Pavilion is unresolved. It should be clearer that you gain access from either side of the pavilion. Project architects should try to add an entrance at the main level so that people are able to pull up curbside to the center area. BPCA has agreed to provide more detailed plans and sections of alternate ways to enter the pavilion from street level. CB1 has asked for additional elevations and details of the ramp and entries to the new level of Wagner Park showing the missing handrails, slopes and tree configurations; and

WHEREAS: The BPCA has agreed to address CB1's concerns with regard to lack of adequate shade in the amphitheater area as well as ADA accessibility and circulation. They have also agreed to address the concern that there are not adequate benches with backs; and

WHEREAS: The BPCA agrees to review the path that leads from Wagner Park to Pier A Plaza which seems narrow and unresolved for full accessibility; and

WHEREAS: CB1 has requested that there is a clear understanding of the relationship between adult recreation, child recreation and restaurant access in the park; and

WHEREAS: CB1 requests that the BPCA provide more information about hours of operation for the pavilion and pavilion elevators; and

WHEREAS: It is imperative that the tunnels and the underpass are protected. Plans are also contingent on the NYC Department of Transportation (DOT), the Triborough Bridge and Tunnel Authority (TBTA) and MTA being on-board. CB1 requires confirmation that these agencies are on board and in step with these proposed plans; and

WHEREAS: CB1 has requested clearer, scaled drawings including sections, elevations and perspectives to further aid understanding of project scope and details; and

WHEREAS: CB1 requests assurance of the consistency of design elevations between the various resiliency projects in lower Manhattan; and

WHEREAS: CB1 appreciates the design of Pier A Plaza as it addresses sea level rise and nuisance flooding and provides a shade-filled social space; and

WHEREAS: CB1 has considerable concerns about why a large amount of money needs to be spent on storing water in cisterns in Wagner Park as the water is relatively clean and can drain into the river; and

WHEREAS: CB1's major concern is inland drainage and has asked BPCA for more information on the drainage of the areas behind the flood barrier; and

WHEREAS: BPCA has agreed to respond to CB1's repeated requests for detailed cost-benefit analyses of this proposal as early as March 2020; and

WHEREAS: CB1 is very concerned at the amount of trees and plantings that will need to be torn up for this plan to be implemented. BPCA has agreed to CB1's request that as many trees, building materials and plantings will be recycled and reused to the extent possible; and

WHEREAS: CB1 has requested that the BPCA provide alternatives to the storage of dirt and compost south of the Museum of Jewish Heritage; and

WHEREAS: CB1 is committed to the belief that in losing this beloved park and its pavilion, all work must be remade to the highest level of sustainability standards; and

WHEREAS: CB1 has concerns about the proposed changes being made to the north Battery Bike Path. The new proposal includes a 150' long wall, much of which is 11' high. The design of the berm involves straightening out the existing sinuous bike path, moving it closer to the comfort station and involves removal of approximately 20 trees. CB1 has requested to see alternative studies for design of this area that include a perimeter flood wall that would not intrude on the park, supporting NYC Department of Parks & Recreation's mission of Parks without Borders; and

WHEREAS: BPCA has promised to provide in the next month or two calendars and scheduling for environmental reviews, and detailed information on the approvals processes and any discretionary actions that may be needed for this project (including opportunities for CB1 review and comment); and

WHEREAS: BPCA has agreed to have a "Deployables Workshop" with DOT to review the specifics of the deployables in response to CB1's repeated requests for full details, including how they operate, where they're made, where they're placed, etc. CB1 has specific concerns that need to be addressed as to how the deployables tie in to the walls between Pier A Plaza and Wagner Park; now

THEREFORE  
BE IT  
RESOLVED

THAT: CB1 urges that the PDC take the questions and comments above under careful consideration as they review the resiliency plans for South Battery Park City.



COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: DECEMBER 19, 2018

COMMITTEE OF ORIGIN: BATTERY PARK CITY

COMMITTEE VOTE:	7 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	26 In Favor	4 Opposed	4 Abstained	0 Recused

RE: Southern Battery Park City Resiliency Project (Wagner Park)

WHEREAS: Lower Manhattan has 960 acres, much of which is in the floodplain and is highly vulnerable to sea level rise, coastal surges, and related flooding from below-ground waters, and

WHEREAS: Most of Battery Park City which was constructed on land fill forming a levee, both the existing landscape and buildings in Wagner Park are on relatively high ground, and

WHEREAS: Lower Manhattan is in critical need of effective and reliable resiliency measures to address both sea level rise and storm surge which respect the existing urban design of the community's neighborhoods, and

WHEREAS: The Battery Park City Authority (BPCA) and their team of partners have provided numerous public presentations over the past two years to engage the public on their plans for the Southern Battery Park City Resiliency Project, and

WHEREAS: The BPCA's primary focus for the Southern Battery Park City Resiliency project is located in Wagner Park, which comprises approximately 10% of Battery Park's public green space, and

WHEREAS: Wagner park is home to the award winning landscape design by landscape architect Laurie Olin and award winning park pavilions designed by Machado Silvetti Architects. At Wagner Park's opening in 1996, architecture critic Paul Goldberg called Wagner Park's 3-1/2 acres "one of the finest public spaces New York has seen in at least a generation.", and

WHEREAS: The BPCA provided schematic conceptual plans to the community in 2017 by Perkins and Eastman Architects and at the recent public hearing in November of 2018 by AECOM and team , showing the demolition and replacement of the Machado Silvetti pavilions and re-design of the Olin landscape, and

WHEREAS: BPCA's current plans for the South Battery Park Resiliency Project extends resiliency measures beyond the boundaries of Battery Park City Authority's catchment area eastward to State Street to protect a larger portion of Lower Manhattan, and

WHEREAS: At the public meeting On November 1, 2018, the BPCA's team promised to provide the community with detailed engineering studies for all of Southern Battery Park City and the surrounding impacted areas (including the Battery Underpass/ 9A terminus and Pier A Plaza area) which connect the high points in

the immediate area. These studies are promised to demonstrate reliable and implementable interventions needed to address the most severe areas of vulnerability and to demonstrate if there is any critical need to revise the existing Wagner park landscape design and razing of the existing Machado and Silvetti Pavilions, and

WHEREAS: The BPCA's team noted that that they will work with New York City agencies with regard to the development and implementation of the LMCR plans, including the current plan revisions recently presented by the Mayor's ORR for East River Park, and

WHEREAS: The BPCA agreed to provide developed plans for addressing underground movement of water which will impact the neighborhood and affect the plan, now

THEREFORE  
BE IT  
RESOLVED

THAT: CB 1 asks that the BPCA in conjunction with the City and State develop several flood protection proposals for this area, including options that do not destroy the existing cultural resources such as Wagner Park or The Battery Bikeway, and

BE IT  
FURTHER  
RESOLVED

THAT: CB 1 asks that the BPCA present to CB1 the engineering investigations and detailed engineering analyses of the existing subsurface conditions, along with detailed options for addressing the threats of sea level rise, including design details demonstrating precisely how the proposed resiliency strategies will be effective; how the resilience measures will work atop the Battery Underpass and Brooklyn Battery Tunnel; what these measures will look like and how they will operate, and

BE IT  
FURTHER  
RESOLVED

THAT: CB 1 asks that the community be presented with the plan of how the BPCA will coordinate with City and State agencies for the use of the proposed deployable barriers, and

BE IT  
FURTHER  
RESOLVED

THAT: CB 1 urges BPCA to provide a benefit-cost analysis and detailed funding plans for all options that are under serious consideration, and

BE IT  
FURTHER  
RESOLVED

THAT: CB 1 requests that the Battery Park City Authority leave Wagner Park Pavilion restaurant and its water-side landscape intact, and

BE IT  
FURTHER

RESOLVED

THAT: CB 1 is grateful for the time and efforts the BPCA team is providing in addressing the resiliency challenges in Battery Park City and looks forward to the CB's continued engagement on this critical issue.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: MAY 23, 2017

COMMITTEE OF ORIGIN: BATTERY PARK CITY

COMMITTEE VOTE:	5 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC MEMBERS	3 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	31 In Favor	0 Opposed	1 Abstained	1 Recused

RE: Battery Park City Authority Resiliency Planning

WHEREAS: Following Superstorm Sandy in October 2012, plans are being developed to improve defenses against climate change and extreme weather events in lower Manhattan and surrounding areas. The City is in the process of a study and preliminary design process for Lower Manhattan Coastal Resiliency (LMCR), which spans the perimeter of lower Manhattan from the Brooklyn Bridge to the northwest corner of Battery Park City; and

WHEREAS: The LMCR study and preliminary design phase is expected to be completed in spring 2018, but the project is not currently funded for implementation; and

WHEREAS: On a parallel track, the Hugh L. Carey Battery Park City Authority (BPCA) is developing its own plans to shore up Battery Park City (BPC) to protect it against extreme weather events, and has engaged a consultant, Perkins Eastman, to develop plans for Wagner Park, which the BPCA has identified as particularly vulnerable; and

WHEREAS: It is not yet clear how BPCA's resiliency plans will integrate with the City's LMCR initiative; and

WHEREAS: Representatives of Perkins Eastman have presented their preliminary plans for Wagner Park at two meetings of the BPC Committee (the Committee), in December 2016 and April 2017, and the Committee members appreciated that some of the concerns raised by the Committee in December were reflected in the plan presented in April; and

WHEREAS: A significant part of the Perkins Eastman plan for Wagner Park is focused on the pavilion building, and would replace the current structure with a new building that would be more enclosed and bulkier, with more programmed and fewer open areas; and

WHEREAS: It has not been made clear to members of the Committee why the existing structure, which was built in 1994, must be replaced by a new building, or why the new building is necessary; and

WHEREAS: The Committee is concerned about the expansion of the commercial elements in the proposed building given the character and nature of Wagner Park, which should be preserved in any new design, particularly with a sprawling commercial space nearby at Pier A; and

WHEREAS: Funding for this proposal would be extremely costly and it may well require federal funding at a time when the federal government is slashing budgets for local projects, especially those involved with climate change amelioration. This circumstance casts doubt on the project itself; now

THEREFORE  
BE IT  
RESOLVED

THAT: Community Board 1 (CB1) requests that the BPCA work closely with the community as it develops and revises its plans for the entire BPC waterfront including Wagner Park and the pavilion building, and includes input from the Committee throughout the process until a final plan is produced; and

BE IT  
FURTHER  
RESOLVED

THAT: The BPCA should also closely coordinate with the LMCR to ensure that its planning process compliments the LMCR and is not in any way redundant or incompatible with it, and report back about this coordination in public meetings with the community.

COMMUNITY BOARD #1 –MANHATTAN  
RESOLUTION

DATE: SEPTEMBER 26, 2017

COMMITTEE OF ORIGIN: BATTERY PARK CITY

COMMITTEE VOTE:	5 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	42 In Favor	0 Opposed	1 Abstained	0 Recused

RE: BPCA issued RFP South Battery Park City Resiliency Project

WHEREAS: The BPCA issued South Battery Park City Resiliency Project Design Services RFP on or about July 14, 2017. The due date for responses to the RFP is September 29, 2017, and

WHEREAS: The BPCA has been working on a resiliency plan that encompasses all of Battery Park City since 2015, and

WHEREAS: The BPCA has started the process for RFP’S for engineering and design for Battery Park City Resiliency and the plans and timelines are more accelerated than any put forth yet by New York City or New York State, and

WHEREAS: The BPCA has divided the overall Resiliency projects into several parts and South Battery Park City Resiliency Project is the first project to have a RFP issued for engineering and design, and

WHEREAS: The BPCA has identified two areas of extreme vulnerability to flooding defined as: The “pinch point” intersections of the Esplanade at Chambers Street and the West Side Highway and second the plaza at Pier A in Historic Battery Park), and

WHEREAS: The BPCA does not control all of the areas identified for addressing resiliency design and will require collaboration and cooperation with New York City and State Agencies, The Battery Conservancy and The Hudson River Park Trust, and

WHEREAS: During Super Storm Sandy, the Chambers Street “pinch point” was the location where water from the Hudson River flowed into West Street and down Chambers Street, which resulted in damage to residences, the BPC Ball-fields, surrounding businesses and a loss of life, and

WHEREAS: During Super Storm Sandy, the storm surge in Wagner Park and the plaza in front of Pier A caused no significant property damage to Wagner Park nor loss of life, and

WHEREAS The BPCA has stated that it has been working with New York City and State agencies and the Lower Manhattan Coastal Resiliency Project to coordinate the merging of its

resiliency plans as they are formulated and the South Battery Park City Resiliency Project Design Services, and

- WHEREAS: CB1 appreciates and encourages the BPCA for its work on moving forward RFPs on resiliency but respectfully disagrees with the overall timeline and the conclusions reached from the closed Wagner Park Site Assessment Project which included the South Battery Park City Resiliency Report and SBPC Plan generated in 2017, and
- WHEREAS: The RFP calls for proposals for multidisciplinary design services in support of the BPCA's South Battery Park City Resiliency Plan (the "SBPC Plan"), and
- WHEREAS: The SBPC Plan does not encompass key recommendations from the BPC Committee and Waterfront Committees of CB1 and the BPC community, some of which go to the heart of the Wagner Park Site Assessment Project, and
- WHEREAS: CB1 and the BPC community has expressed grave concerns with the scope of the Wagner Park Site Assessment Project, noting that the money, attention and effort was focused on demolition of the present award-winning architectural structure that houses a restaurant, storage and public bathrooms, rather than focusing primarily on what is minimally required to enhance resiliency, and
- WHEREAS: The SBPC Plan proposed a larger structure that would compromise current views and access so as to provide significantly more commercial revenue-generating business space, increase storage space for the BPCA and perhaps add 1,300 square feet "community space", and
- WHEREAS: The BPCA is focused on moving forward with The SBPC Plan to increase revenue-generating assets within Wagner Park, but Wagner Park is not within the "pinch point" area that is the most vulnerable, and
- WHEREAS: The BPCA maintains that the new structure is an integral part of the Wagner Park Resiliency Plan and not first and foremost a revenue-generating project; that it is the first RFP processed, as it was the least complicated; and that other RFPs are in process and will be forthcoming, and
- WHEREAS: The Community & Stakeholder Outreach portion in Phases 2, 3 and 4 of the South Battery Park City Resiliency Project RFP Issued July 14, 2017 details only preliminary meetings as directed by the BPCA, and
- WHEREAS: The BPCA has yet to put forth a RFP for the "pinch point" Chambers Street location in Northern BPC, and
- WHEREAS: BPCA has stated that funding for the BPCA Resiliency Plans will not be coming from City, State or Federal sources and BPC was excluded from the partial funding grants, and

WHEREAS: The BPC community has expressed concerns as to how the BPCA will finance the BPCA Resiliency Projects. Although there is a large annual surplus (currently over \$170,000,000 in 2017) from the Ground Rent and Pilot, the BPCA has indicated that they will likely issue more bonds to fund the projects, and

WHEREAS: This type of funding by issuance of more bonds is of grave concern to the stakeholders in BPC, both residential and commercial owners and renters, as incurring more debt can result in increases in and curtail relief negotiations on the Ground Rent and Pilot payments - at a time when stakeholders are looking for Ground Rent and Pilot RELIEF - making BPC even more unaffordable to current owners and renters and driving neighbors out of their homes, now

THEREFORE  
BE IT  
RESOLVED  
THAT:

1. CB1 appreciates and encourages the BPCA for its work on moving forward RFPs on resiliency but respectfully disagrees with the overall timeline and the conclusions reached from the closed Wagner Park Site Assessment Project which included the South Battery Park City Resiliency Report and SBPC Plan generated in 2017.
2. CB1 requests that the BPCA's first priority for Resiliency project work to be for the pinch point of the Esplanade, Chambers Street and West Street before Wagner Park.
3. CB1 requests that the BPCA includes community meetings for feedback throughout the design phase of the South Battery Park City Resiliency Project to allow for outreach in multiple points of the design process beyond preliminary meetings.
4. CB1 requests that the BPCA, in its redevelopment and design of Wagner Park, ensure the protection of features currently enjoyed by the community and consideration of requests made, including but not limited to: viewpoints from the street to the Statue of Liberty, multiple access points, 360 degree unobstructed views of the Statue of Liberty and New York Harbor throughout the park (unobstructed by a dock or moored boats), intimate gardens, seamless connection between the restaurant and lawn areas, open play spaces without a large pitch, quiet areas, a sustainability and environmental-focused educational center, design event set up/event infrastructure in the park to minimize noise and traffic impacts on neighboring buildings. In addition, designs should include multiple public accessible spaces within the structure to maintain view access points that frame the Statue of Liberty in line with the stairs and bridge of the current structure feature.



### **A.5.3 Public Comments on SBCR Draft Environmental Impact Statement (DEIS)**

# South Battery DEIS public hearing - Question on open green space

Gianna Abruzzo <gmabruzzo@yahoo.com>

Tue 5/17/2022 2:38 PM

To: Filomena, Claudia <claudia.filomena@bpca.ny.gov>;

Cc: Sbordone, Nicholas <nicholas.sbordone@bpca.ny.gov>;

Dear Claudia,

I am unable to attend the DEIS public hearing. My question for the redesign is this:

In terms of square footage in Wagner Park, how much will change in the amount of flat, unobstructed green lawn space available for the public leisure? i.e. what is the total open lawn green space available in Wagner Park now and what will be the total open lawn green space available to the public with the new design? Would it be possible to overlay the two designs on a map?

I am speaking of the grass lawns directly in front and on the sides of the pavilion where currently the public is able to put down a picnic blanket, run, play, etc. I know there is great concern about losing open green space. Knowing more specifically how this will change is important.

Many Thanks,

Gianna Abruzzo  
BPC Resident  
917-514-9482

**From:** [Gianna Abruzzo](#)  
**To:** [Filomena, Claudia](#)  
**Cc:** [Sbordone, Nicholas](#); [BPC Neighborhood Association](#)  
**Subject:** Re: South Battery DEIS public hearing - Question on open green space  
**Date:** Tuesday, June 7, 2022 08:34:13 AM

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Dear Claudia,

I am writing again with the same question as below (email 5/17). Or, perhaps, to ask where I can find the answer to my question.

There is great concern within the community that there will be a loss of open green space for ACTIVE play (i.e. flat, unobstructed) with a redesign. Can you assure us with data and diagrams that this is not the case?

I have two other significant concerns:

1. The number of mature trees that will be destroyed. (Watching trees cut down in East River park is devastating)
2. The lead and mercury detected in soil samples. How will you assure the community that there is a plan for further sampling and safe remediation?

Thank you  
Gianna Abruzzo  
BPC resident since 2009

On Wednesday, May 18, 2022, 11:26:22 AM EDT, Filomena, Claudia <[claudia.filomena@bpca.ny.gov](mailto:claudia.filomena@bpca.ny.gov)> wrote:

Hello Gianna,

Thank you so much for your comments/questions below.

Best,

Claudia

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**From:** Gianna Abruzzo [<mailto:gmabruzzo@yahoo.com>]  
**Sent:** Tuesday, May 17, 2022 2:39 PM  
**To:** Filomena, Claudia  
**Cc:** Sbordone, Nicholas  
**Subject:** South Battery DEIS public hearing - Question on open green space

Dear Claudia,

I am unable to attend the DEIS public hearing. My question for the redesign is this:

In terms of square footage in Wagner Park, how much will change in the amount of flat, unobstructed green lawn space available for the public leisure? i.e. what is the total open lawn green space available in Wagner Park now and what will be the total open lawn green space available to the public with the new design? Would it be possible to overlay the two designs on a map?

I am speaking of the grass lawns directly in front and on the sides of the pavilion where currently the public is able to put down a picnic blanket, run, play, etc. I know there is great concern about losing open green space. Knowing more specifically how this will change is important.

Many Thanks,

Gianna Abruzzo

BPC Resident

917-514-9482

**From:** [Reena Agarwal](#)  
**To:** [Filomena, Claudia](#)  
**Subject:** Resident in favor of wagner park reno  
**Date:** Monday, June 13, 2022 02:07:01 PM

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Claudia,

I applaud BPCA's continued efforts in creating a resilient plan for the community. This neighborhood has always been a leader in establishing a high bar for meeting the challenges of environmental sustainability, and this plan is no different.

Although I am disappointed that my neighbors and friends did not join the many opportunities to give input in the two years while this plan was being developed, I do also recognize that the park will impact them the most. I'll be watching and giving input as a community member *if* there will be any design changes to the proposal.

Thank you for your continued leadership and commitment to our community.

--

Reena Agarwal

**From:** [mark.ames](#)  
**To:** [Filomena, Claudia](#)  
**Cc:** [hello@bpcna.org](mailto:hello@bpcna.org)  
**Subject:** Proposed Wagner Park Resiliency Project  
**Date:** Friday, June 10, 2022 09:17:57 AM

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Claudia,

I support resiliency projects and believe action is needed to protect all of lower Manhattan from severe flooding.

I expect our leaders to focus on creating an integrated plan that maximizes active green spaces, preserves old growth trees and prioritizes the community's needs in all designs and design principles.

Closing this park for this period will result in a significant deterioration in the quality of life for the nearby community.

The various drawings, model and videos do not reconcile with each other. It's not fair and violates due process to ask for comments and input on renderings that are inconsistent with each other and, therefore, do not provide adequate notice or opportunity for a meaningful understanding and opinion by the public.

I ask that you pause current plans and conduct a meaningful review including consultation with BPC residents.

Best,  
Mark.



Bob Townley,  
Founder and Executive Director  
347.429.7755 (direct line)  
bob@manhattanyouth.org

Hello My name is Gabi Sasson Ajami:

It is my pleasure to testify on the resiliency plan for Battery Park City. While not the purpose of this meeting a shout out for the resiliency work and efforts for the ballfields.

I am the director of the Downtown Day Camp and an administrator of Manhattan Youth. I grew up in Community Board One and I know firsthand the importance of sustainability efforts. I myself have grown up enjoying the parks of southern Battery Park City.

Our community center was flooded with over 2 million dollars of damage. In our estimation we are still not protected. Yet, we applaud the protection of the southern district of BPC. We run the programs at PS 276 and that area is of great importance to the community.

Our founder Bob Townley, who could not be here tonight (it is his birthday), was instrumental in advocating for these ball fields in the 1990's. He was on the planning committee for the master plan of Battery Park City's Parks. He wanted to acknowledge how important it is to protect Southern Battery Park City.

Protecting the institutions and the parks of Southern Battery Park City is of huge importance for all of us. Thank you for the opportunity to comment on the plan.

# BPC - green spaces

Eni Bakallbashi <eni\_b24@yahoo.com>

Thu 6/2/2022 9:50 AM

To: Filomena, Claudia <claudia.filomena@bpca.ny.gov>;

Cc: hello@bpcna.org <hello@bpcna.org>;

Hello,

My name is Eni Bakallbashi and I am a long time resident of Manhattan, currently living in East Harlem but having spent time in various neighborhood of this wonderful city.

While I do not live close to Battery Park, I do have have a 6 year old and older parents who very much enjoy the green spaces in Battery Park City so we travel downtown very frequently just for my son to enjoy the fresh air and playgrounds and green spaces, and for my parents to do the same.

I am writing in support of these spaces - they are vital to all of us and especially the young and aging. They are also critical spaces for micro habitats for many plant and animal special that are vital to the environmental well being and ultimately human life.

In that context and as mentioned above, I just wanted to write this note in support of these spaces and all efforts to preserve them. If there is anything else I can do to support this cause, please do let me know.

Best regards,  
Eni Bakallbashi



**From:** [Elisa Barsotti](#)  
**To:** [Filomena, Claudia](#)  
**Cc:** [hello@bpcna.org](mailto:hello@bpcna.org)  
**Subject:** Wagner Park  
**Date:** Friday, June 10, 2022 01:47:46 PM

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Claudia,

We support resiliency projects and believe action is needed to protect all of lower Manhattan from severe flooding.

We expect our leaders to focus on creating an integrated plan that maximizes active green spaces, preserves old growth trees and prioritizes the community's needs in all designs and design principles.

Closing this park for this period will result in a significant deterioration in the quality of life for the nearby community.

The various drawings, model and videos do not reconcile with each other. It's not fair and violates due process to ask for comments and input on renderings that are inconsistent with each other and, therefore, do not provide adequate notice or opportunity for a meaningful understanding and opinion by the public.

My 6 and 8 year olds have been playing and enjoying lawn and trees in Wagner park since they were babies. We cherish the green space dearly and wish for a more thoughtful and transparent process.

Thank you,  
Elisa , BPC resident

Sent from my iPhone

# Battery Park City new design

NICOLE BARTELME <nicolebartelme@aol.com>

Tue 5/31/2022 9:39 PM

To: Filomena, Claudia <claudia.filomena@bpca.ny.gov>;

Hi Claudia,

Beautiful work, I would just like to add that the more trees that can be added the better.

Fountains important. The more pervious surfaces the better - as far as design, think in Paris

**Tuileries Gardens.**

## Filomena, Claudia

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**From:** Anthony Basilio <antbasilio@gmail.com>  
**Sent:** Monday, June 6, 2022 08:51 AM  
**To:** Filomena, Claudia  
**Cc:** hello@bpcna.org  
**Subject:** Wagner park

Claudia,

As a long time resident of battery park, I am writing you to express my concern of the design of South Battery Park resiliency program. The design lacks the green space area that is surely a premium for locals and visitors to our area. I am asking to reconsider closing the park for two years, to add more concrete retail and vendor space and add more open green areas, trees. Thank you

Best,  
Anthony Basilio

# Comment regarding South Battery Park City Resiliency

Aferdita Bega <aferdita.bega@gmail.com>

Tue 5/24/2022 8:04 PM

To: Filomena, Claudia <claudia.filomena@bpca.ny.gov>;

Cc: hello@bpcna.org <hello@bpcna.org>;

Hello,

I am a resident of Battery Park City and I am extremely concerned about the proposed designs for the South Battery Park City Resiliency. This project was foisted on us without any sincere effort on your part to seek and incorporate community feedback. In fact, it seems that the sole reason for this project is to use taxpayer money to pay for more dining and event venues (something the community does not necessarily need and certainly did not ask for) rather than for resiliency. Evidence for this is the following:

1. The project is not taking place where the storm surge occurred for hurricane Sandy. In fact, it is taking place exactly where the surge did not occur. If we were serious about resiliency we would start in the most vulnerable low lying spots, not in the most "scenic" ones.
2. Building on the "scenic" point above, the whole design of concrete walls, steps and levels seems geared towards maximising views of future restaurants instead of incorporating more organic design elements such as reefs and tide pools. Why? Who is benefitting from this? Potential restaurateurs? Pier A is a sad example of what may end up happening to these future restaurants while our community is stuck with the bill.
3. The whole process has not been transparent at all. From poorly advertised and inconveniently scheduled walking tours, to vague documentation and hurried community feedback sessions I can only assume that it was all done on purpose so as to pretend to have obtained community feedback without any intention of doing so. If BPCA ever wants to win back the trust of our community after the Essential Workers Monument debacle from last summer (and other similar examples) the first step would be to put a pause to such a major project and engage us fully, sincerely and in good faith.

Respectfully,

Aferdita Bega

(BPC resident since 2011)

# Comment regarding South Battery Park City Resiliency

Klejda Bega <shkrepse@yahoo.com>

Thu 5/19/2022 7:29 PM

To: Filomena, Claudia <claudia.filomena@bpca.ny.gov>;

Hello,

I am a 13 year resident of Battery Park City. I have two comments regarding the proposed resiliency plans:

1. The cost/benefit of this project does not seem beneficial to our community. All this work is allegedly to prevent flooding and damage from "a 100-year storm", as we expect the sea levels to rise. How does the money that will be spent on this project compare to the predicted damage? Keep in mind that while the storm is probable, the money that will be spent on this project is a certainty. The fact that it will be way over budget when (if) completed is also a near certainty.
2. During Hurricane Sandy, the sea wall was breached near Chelsea, which then turned West Side Highway into a river bed. Since water runs and fill the lowest elevations, "fixing" some part to be a higher ground, would not help at all if you have a breach elsewhere.

Please put a pause on this project until residents and other experts have been heard.

Sincerely,  
Klejda Bega

**From:** [fishera@mindspring.com](mailto:fishera@mindspring.com)  
**To:** [Filomena, Claudia](#)  
**Subject:** SBPCR Draft Environmental Impact Statement Comments  
**Date:** Tuesday, June 7, 2022 03:34:33 PM  
**Attachments:** [SBPCR Draft EIS Comments - 6.6.22.docx](#)

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200 Rector Pl., Apt 16C  
New York, NY 10280  
June 6, 2022

Claudia Filomena  
Director of Capital Projects  
Battery Park City Authority  
200 Liberty Street, 24th Floor  
New York, NY 10281

By Email – [Claudia.filomena@bpca.ny.gov](mailto:Claudia.filomena@bpca.ny.gov)  
and First Class Mail

Re: Comment on the Draft Environmental Impact Statement (“DEIS”) on the  
South Battery Park City Resiliency (“SBPCR”) Project

Dear Ms. Filomena:

My concern is that the beautiful plants and bushes in the area to be impacted by the SBPCR Project, including but not limited to Wagner Park, be preserved through transplant before the Project construction begins.

As you no doubt are aware, both the DEIS (at 1-14, p. 53) and the related Final Scoping Document (at 3-4, p. 17) provide that “The SBPCR Project’s design also calls for assessing all materials including existing site stone, wood, trench drains, trees, shrubs and plants for salvage. A select amount of materials has been targeted to be reused within the SBPCR Project site.” I am assuming that the plan is not just to save plants and bushes which can be reused in the SBPCR project but also in other areas of BPCA.

Given the large number of presumably salvageable plants and bushes in the impacted area and the plan for construction to begin in August, it would seem that efforts should be underway to implement the quoted provision; yet I have seen no such efforts. Accordingly, my questions are:

- \* Has the required plan for salvaging plants and bushes been drafted and how may I obtain a copy?
- \* What is the status of this plan – has it been approved?
- \* What are the next steps for implementation of the plan to salvage plants and bushes from the impacted area and when are those efforts going to begin?
- \* What are the names of the persons who are implementing the plan?
- \* Who is responsible for insuring that the cited provision of the DEIS is fully complied with?

Again, my hope is that as many as possible of the beautiful plants and bushes in Wagner Park and the near-by areas can be preserved through transplanting elsewhere in BPCA gardens before the resiliency project construction begins. Thank you for your attention to these comments.

Yours truly,

Mary Fisher Bernet  
[Fishera@mindspring.com](mailto:Fishera@mindspring.com)  
(917)209-0918

**From:** [Jessica Blank](#)  
**To:** [Filomena, Claudia](#)  
**Subject:** Resiliency project  
**Date:** Thursday, June 9, 2022 10:29:29 AM

---

Hi there,

The plans for the Resiliency project in Wagner Park are horrible. Why would something called the Resiliency Project involve REMOVING green space and replacing with concrete? SO many children play in Wagner Park. So many people enjoy sitting in the sun there. How could plans like this be made, without looking around at all the people enjoying the space? There has to be a way to explore projecting BPC from flooding that PRESERVES the green space - not destroy it. And why are the residents of BPC just finding out about this now? When were the people who actually live here able to offer input.

This is outrageous. And unforgivable. Do not do this to the people of Battery Park City. Protect our green space. We don't need more concrete in this city.

Jess Blank

**From:** [Nancy Buivid](#)  
**To:** [Filomena, Claudia](#)  
**Subject:** South BPC Resiliency Project: Public Comment  
**Date:** Wednesday, June 8, 2022 07:31:54 PM

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Good Day Ms. Filomena,

Thank you for this opportunity to comment.

Keeping on Horticultural trend, it is likely that your new planting plan will incorporate many Native Plants.

In the gardens effected by this project, there is a high percentage of Native Plant material.  
Much of it is priceless in its maturity and acclimated to the site.

Within the Sustainable and Zero Waste practices of Battery Park City Authority, can the public be assured that BPCA will save and hold over this material for the new design?

And/or:

Will this material be incorporated into other gardens of BPC?  
Offered to other State and City Parks?

Thank you for your consideration.

Sincerely,  
Nancy Buivid



# Comment regarding South Battery Park City Resiliency

Yuri Burlakov <burlakov\_yuri@yahoo.com>

Thu 5/19/2022 8:25 PM

To: Filomena, Claudia <claudia.filomena@bpca.ny.gov>;

Hello,

I am writing to comment on the proposed designs for Wagner Park. These are all outdated XVI century designs consisting of concrete walls, steps and platforms. We are in the XXI century and we have learned to create organic and environmentally friendly designs. See for example the tide pools at Pier 26 or the rocks brought to Teardrop Park from upstate NY. Such designs, where we try to recreate what nature has already perfect are cheaper, longer lasting and do not present yet another concrete eye sore. It appears that one of the goals of the current design is to increase dining and event space. The failure of Pier A as a dining and event space should also be a warning that this is not what we need. What we need it to bring more nature to our community. Trees, yes, but also grasses, flowers, rocks, tides, etc. and create a true ecosystem where we can all thrive.

Sincerely,  
Yuri Burlakov

**From:** [Alanna Chesney](#)  
**To:** [Filomena, Claudia](#)  
**Cc:** [hello@bpcna.org](mailto:hello@bpcna.org)  
**Subject:** Wagner Park  
**Date:** Friday, June 10, 2022 08:23:34 AM

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We love Wagner Park! Please don't take away the green spaces. I have seen the designs and it's a lot of concrete. That corner gets hot and the kids need space. Wagner Park is a primary reason we are raising our family in Battery Park City.

If you must do construction, can it at least wait until the summer is over?

Thank you for your consideration

Alanna Chesney-Manz, DVM

**From:** [Jo Clark](#)  
**To:** [Filomena, Claudia](#)  
**Cc:** [hello@bpcna.org](mailto:hello@bpcna.org)  
**Subject:** Opposition to the planned Wagner Park resiliency project.  
**Date:** Friday, June 10, 2022 07:46:26 AM

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Dear BPCA.

My family and I have lived in south Battery Park City since 1998.

We support resiliency projects and believe action is needed to protect all of lower Manhattan from severe flooding.

However, we expect our leaders to focus on creating an integrated plan that maximizes active green spaces, preserves old growth trees and prioritizes the community's needs in all designs and design principles.

Closing this park for this period will result in a significant deterioration in the quality of life for the nearby community.

In addition, the various drawings, model and videos do not reconcile with each other. It's not fair and violates due process to ask for comments and input on renderings that are inconsistent with each other and, therefore, do not provide adequate notice or opportunity for a meaningful understanding and opinion by the public.

Please reconsider the current plan and collaborate with us local residents to find a solution which does not involve leveling this entire most beautiful and mature of BPC parks.

Thank you.

Joanne Clark  
200 Rector Place 40c.

Sent from my iPhone

**From:** [Amy Cohen](#)  
**To:** [Filomena, Claudia](#)  
**Cc:** [hello@bpca.org](mailto:hello@bpca.org)  
**Subject:** Wagner Park  
**Date:** Friday, June 10, 2022 09:21:40 AM

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We support resiliency projects and believe action is needed to protect all of lower Manhattan from severe flooding. We expect our leaders to focus on creating an integrated plan that maximizes active green spaces, preserves old growth trees and prioritizes the community's needs in all designs and design principles.

Closing the park for this period will result in a significant deterioration in the quality of life for the nearby community.

The various models, drawings and videos do not reconcile with one another. It is unjust and violates this process to ask for comments and input on renderings that are inconsistent with one another and, therefore, do not provide adequate notice or opportunity for a meaningful understanding and opinion by the public.

The lack of trees and shade in the drawings is problematic for a host of reasons.

The lack of transparency regarding the inconsistent designs and design process is shameful.

**From:** [Korin Cohen](#)  
**To:** [Filomena, Claudia](#)  
**Cc:** [hello@bpcna.org](mailto:hello@bpcna.org)  
**Subject:** Wagner Park Resiliency Efforts  
**Date:** Friday, June 10, 2022 01:55:10 PM

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Dear Claudia,

I've had an opportunity to review many of the communications and information in regard to the Wagner Park Resiliency Project and I must voice my opposition to this plan. I understand that we need to protect our neighborhood from future flooding but this plan is fundamentally flawed and has massive negative repercussions to the community.

I expect the BPCA to prioritize a strategy that expands green space and trees instead of focusing on expanding commercial food and beverage profits for corporations.

Closing this park for this period will result in a significant deterioration in the quality of life for the nearby community.

The various drawings, model and videos are inconsistent and doesn't give a true sense of the space. This is not fair and violates due process to ask for comments and input on renderings that are inconsistent with each other and, therefore, do not provide adequate notice or opportunity for a meaningful understanding and opinion by the public.

Thank you,  
Korin

## Filomena, Claudia

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**From:** Amber Cleary <ambercleary78@gmail.com>  
**Sent:** Friday, June 3, 2022 09:05 AM  
**To:** Filomena, Claudia  
**Cc:** hello@bpcna.org  
**Subject:** Complaint Re: Wagner Park Resiliency Project

Ms. Filomena,

I am writing in regard to the proposed resiliency project slated for South Battery Park in Wagner Park.

As a resident of Lower Manhattan for over 15 years, the green space of Battery Park has been a haven to our growing family. It allows us room for our kids to run and play, for our family to picnic, and green space to enjoy visually as a break from the concrete and steel structures that tower above us on the other side of West Street. My oldest child attended community-sponsored toddler play time in Wagner Park when I was a new parent and trying to create social bonds with other families in the area. We've gone to dinner countless times at Giogino's and let both our kids run free in the park to get the wiggles out while they wait for their giant bowls of pasta. It is a special place that residents and visitors alike have enjoyed for years.

My family is not alone in these needs. Lower Manhattan has transitioned from being primarily a business district to a hub of young families with kids of all ages. The promenade along the Hudson River is packed on weekends with kids on their bikes and moms and dads pushing strollers. We play catch and break in new baseball mitts, have impromptu soccer matches with classmates, and climb trees. We NEED green space. Raising children in the city means making sacrifices – we don't have backyards where they can just be kids. So we clamor for any green space we can get to give them room to roam. And if we learned nothing else from this pandemic, we know that we must be active and healthy and outside as much as possible.

The current resiliency plan for Wagner Park is absolutely absurd. Removing precious green space to pour concrete stairs and encase structures to house more dining options completely negates why people value this area at all. They come here for the view and to sit in the grass under the shade of a tree. There are existing structures mere steps from this space that could be enhanced to house dining and retail options. One example is Pier A, which was restored years ago and only succumbed to Covid-related lack of business. And Pier A is in-keeping with the rich historical significance of the adjacent Battery.

The survey completed to justify this project (as detailed in a graph from Perkins Eastman) has a total respondent number of only 441 people – of which only 268 were residents. As of 2018 there were a total of 63,383 residents in CB1, which comprises BPC and adjacent neighborhoods. Thus,

this survey represents only .2% of the population of residents of CB1 that frequent the Battery Park City parks. And the open-ended question of “what would you like to see in the area?” does not detail at what expense “more food options” would come. If the survey presented the photos of the proposed resiliency project, I would hypothesize this number would change drastically.

I’ve read reports that justification for why this space is being overhauled is based on flood damage during Sandy. I’ve also seen the maps from 2012 that show Wagner Park was not a pressure point – it was not under water. And as someone who lived steps away at the time and weathered the weeks without power and damaged businesses that floundered for months while recovering, I’m very aware of the places that could use reinforcing. This is not it. And even if you are determined to make some changes, these are certainly not the ones that should be made.

When we reflect on some of the commercial ideas proposed in the past 100 years for NYC’s most famous park - Central Park – we should take pause at what we are considering for our own Lower Manhattan park that has much less space to spare. Plans strongly considered for Central Park were a racetrack, a 1000-person theater, cutting down 1/3 of the Ramble for a croquet/shuffleboard courts, various parking lots, and much more. All of these plans were justified because some minority contention proposed there should be more “things to do”. I would venture to say that the millions of visitors to Olmsted & Vaux’s Central Park are just happy to have the 800-acre respite from Midtown Manhattan and I shudder to think what it would be like if we had given into the impulses of a small surveyed few. With this in mind, I think our small and mighty 36 acres in Battery Park should be treated with particular care and consideration.

As you can likely see, I’m very impassioned about this subject. Last summer, our community came out in large numbers to protest the eternal flame/memorial proposed for the North Lawn. Our greenspaces in Lower Manhattan must be preserved. Over Memorial Day weekend when the mercury rose to 90+ degrees, the lawns were packed with residents from the area, city residents from afar, and tourists alike. We clung to the spots of shade in the grass to take refuge from the hot sun and heat radiating from the concrete. We will not tolerate yet another threat to our parks. Community acceptance for change to our neighborhood should be required!! And I assure you that we have plenty of alternative ideas to help address these surveyed “needs” if you just ask us - the people that live and use these parks every day.

Sincerely,  
Amber Cleary

**From:** [Justine Cuccia](#)  
**To:** [Filomena, Claudia](#)  
**Cc:** [Diana Switaj](#)  
**Subject:** Comments on Wagner Park and the South Battery Park City Resiliency Project  
**Date:** Thursday, June 9, 2022 05:55:27 PM

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## Wagner Park and the South Battery Park City Resiliency Project

The Battery Park City Authority has been working on a resiliency plan that encompasses the 92 acres of Battery Park City and 88 acres outside of BPC since 2015. The BPCA started the process to engage engineering and design plans as well as actually implementing some of these plans (ie. the Ball Fields) on a significantly more accelerated pace than NYC or NYS. As someone who has been participating in discussions and meetings since then, I acknowledge their accomplishments to date and am grateful for their actions.

That said, as I have stated repeatedly since 2016, I do NOT support the BPCA's plans in regards to Wagner Park. The Wagner Park Site Assessment Project does NOT significantly take into account the feedback from the BPC Community or Manhattan Community Board 1, who have consistently stated that money, attention and effort has been focused on demolition of the present award-winning structure rather than focusing primarily on what is MINIMALLY REQUIRED to enhance the resiliency of Wagner Park. The BPCA has stubbornly persisted with their Plan to increase revenue-generating assets within Wagner Park, at the expense of greenspace and open parks. Therefore, I call upon the BPCA to cease and desist with the current plan and radically SIMPLIFY the Wagner Park Design.

IF a 10 to 16 foot wall in fact must to be built to connect the Pier A and Battery Park Resiliency Projects to the Jewish Heritage Museum and the West Resiliency Projects and protect people and property in BPC and FiDi, I call upon the BPCA to create such a wall as a berm styled after Tear Drop Park for the permanent barriers and flip gates as needed and appropriate. The Tear Drop Park Structures seamlessly conceal storage space (where Parks Equipment can be relocated and stored) while acting as a more natural barrier to potential storm surges.

The current plans have a large, unattractive 4-story building as the unnatural barrier to a potential storm surge. The current view corridor at street level will be lost no matter what, IF that 10 to 16 foot wall must be built. But the BPCA can do better.

A Tear Drop Park like structure with berm and flip gates is preferable to that building. However, this structure must be designed so that people can interact with it, climb it, walk up and down it (it must be ADA accessible as well) so that access to the waterfront remains open for the able-bodied and non-able-bodied.

The current award-winning structure does not have to be touched, although the bathrooms should be updated and maintained. If it is torn down, the Berm/Wall can be built where the building is, with little to no disruption to the Tree Allays on the street side of the building nor the grassy park areas on the water side of the building or the two quiet gardens. Additionally, public bathrooms can be built into that structure or otherwise added to the design. Yes, the park may flood, but people and property will be protected.

A radically simplified Wagner Park Design Plan will limit the area of construction, reduce costs of the project, will likely mean that Wagner Park is closed for a shorter period of time. And does not have to mean a long delay in getting the project started. I know that the BPCA



did explore other options for Wagner Park, but I do not know why they were rejected. I would appreciate a detailed explanation.

And the BPCA can move Gigino's restaurant to the unoccupied Pier A building, while also looking to place a family style diner and a sports bar therein. This will generate revenue in a space that has been unoccupied for years now, while freeing Wagner Park to be used as a park.

Regardless of what type of construction/destruction ends up taking place, I also call upon the BPCA to ensure that soil samples are taken PRIOR to any work. That the air is continuously monitored for particulate contamination, etc. That any and all equipment and vehicles entering or leaving the site are hosed down to prevent contamination from dust particles, etc. Please keep in mind that this entire area was engulfed in the 9/11 toxic dust. We have no idea what chemicals, metals, particulate matter have leached into the soil or been lodged in the structures in and around Wager Park and remained since 9/11/2001. So testing and monitoring is vital.

Having lived in BPC since the mid-1990's and having worked with the BPCA for over a decade, whether as a resident, community activist, member of Manhattan Community Board One and now as a candidate for elected office, I want to reiterate that the current iteration of the Battery Park City Authority has been the most transparent, the most interactive and the most responsive to the BPC Community to date. That said, it is no where near enough. Resiliency and ground rent negotiations have been the issues where EVERY iteration of the BPCA has failed. Taking the bold step of dramatically simplifying the Wagner Park Design would be a big step towards addressing this fact.

Thank you.

Justine

Justine Cuccia NYS Assembly Candidate 61AD  
Justine for BPC, Lower Manhattan & North Shore of Staten Island

917-405-0438

Website: <https://justineforny.com/>

**From:** [Emma Daly](#)  
**To:** [Filomena, Claudia](#)  
**Cc:** [hello@bpca.ny.gov](mailto:hello@bpca.ny.gov)  
**Subject:** Please revise Wagner Park resiliency design  
**Date:** Tuesday, June 7, 2022 09:09:32 PM

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Dear Ms Filomena,

As 18-year residents of BPC and the parents of two children who crawled, walked, ran and danced in Wagner Park, we're extremely concerned by your current resiliency plans. We all agree on the need to flood-proof the city, but this version does the community and our many visitors a disservice. It seems designed to increase commercial activities by paving over grass to add food and beverage options while decreasing green space.

We urge you to revise the designs to prioritize the active green space we need and love instead of maximizing commercial opportunities.

Thanks,

Emma Daly and Santiago Lyon

Residents, northern Battery Park City

## Filomena, Claudia

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**From:** Sandra Davis <sandradavis0719@gmail.com>  
**Sent:** Thursday, June 2, 2022 01:55 PM  
**To:** Filomena, Claudia  
**Cc:** hello@bpcna.org  
**Subject:** Wagner park redesign

Hi Claudia - just a note to voice my opposition to the current Wagner park redesign.  
I'm not sure what it's attempting to accomplish but it doesn't seem like flood resiliency is really the objective here.  
Beyond that, it's destroying what little open green space that we have left in battery park for kids to really run and play.  
I hope this can be re-thought with the community's input as it seems that has been missing.

Thanks for your time.  
Sandy Davis  
70 Little West St, mom of 4, parent at PS276

**From:** [Margo DeAngelo](#)  
**To:** [Filomena, Claudia](#)  
**Cc:** [hello@bpcna.org](mailto:hello@bpcna.org)  
**Subject:** Pause the resiliency project in Wagner Park  
**Date:** Saturday, June 11, 2022 06:31:07 PM

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Dear Director Claudia Filomena and the entire BPCA:

We demand that resiliency for Battery Park City include voices of the community. Shutting down Wagner park for two years should never have been on the table. Our children, who have been through so much during the pandemic, need open spaces. They suffer from spiking levels of anxiety, depression, screen addiction, and obesity at young ages. This must be better managed. It can be done. If your architects and urban planners say it can't, hire someone else. Advocate for us.

We should be harnessing the strengths of nature in our pursuit of resiliency, leaving our precious wealth of mature trees and other plants untouched. Any plan that tears down mature growth is invalid.

Have noise abatement and dust issues been addressed, given that this is so close to a large elementary school and many residential homes? Are people in charge of this plan aware that our area is known to be in the path of intense winds coming off New York Harbor year round?

I recognize the need for improvements, but this cannot become a money grab. There is no rush so intense that a better plan cannot be formulated. Our neighborhood, built following the principles of Jane Jacobs, feels thrown to the wolves. It has been the victim of rushed decisions and poor planning once before with an ill-fated essential workers memorial. Do not doubt that parents are willing to show up here in the same way. We love our neighborhood and will stand up for it.

We cannot keep repeating the same mistakes. It's too expensive.

You must find better ways to publicize the planning meetings. Hold many, when and where working people with children can easily attend. Choose venues where large amounts of people can safely enter the room and all may be heard.

The system is broken. Pause the resiliency plan now. Thank you.

Kind regards,  
Margo DeAngelo  
(917) 669-0975

# Comment on Wagner Park

Dellajo <dellajo@aol.com>

Tue 5/31/2022 12:25 PM

To: Filomena, Claudia <claudia.filomena@bpca.ny.gov>;

Dear Ms Filomena:

This is a billion dollar boondoggle. You are destroying the crown jewel of Battery Park City for zero purpose. Wagner Park is on high ground and did not flood during Sandy. Please respect the wishes of the community and stop this insanity.

John Dellaportas  
377 Rector Place, 15A  
New York, NY 10280

**From:** [Clara De la Cerda](#)  
**To:** [Filomena, Claudia](#)  
**Cc:** [hello@bpcna.org](mailto:hello@bpcna.org)  
**Subject:** Wagner park — closing & redesign  
**Date:** Friday, June 10, 2022 12:53:01 PM

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The closing of Wagner park is terrible news for our BPC neighborhood. Especially for all of us who live in South BPC because we rely on this green space for daily use for fitness, meditation and other recreational activities with our children. The new design does not seem to prioritize this type of use and seems to favor concrete/wooden and other hard surfaces over open uninterrupted green lawns and grassy areas.

If the community is going to have to endure over 2 years of construction and lack of green space, it should be for a new version of Wagner that residents support because it meets their needs. The proposed redesign does not seem to meet our needs. Something must be done about it. It's our pilot that funds part of this. We should have a say in it.

-Clara De La Cerda  
Unit owner at the Visionaire

**From:** [Monica De Martin](#)  
**To:** [Filomena, Claudia](#)  
**Cc:** [hello@bpcna.org](mailto:hello@bpcna.org)  
**Subject:** Please rethink Wagner Park project!!  
**Date:** Friday, June 10, 2022 03:52:23 PM

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Dear Claudia,

Having lived in Battery Park during Sandy, I support resiliency projects and believe action is needed to protect all of lower Manhattan from severe flooding. However, I do not agree that the current plan proposed for Wagner park really addresses this and puts commercial greed over the benefit of local residents and visitors to our lower Manhattan community.

We expect our leaders to focus on creating an integrated plan that maximizes active green spaces, preserves old growth trees and prioritizes the community's needs in all designs and design principles.

Closing this park for this period will result in a significant deterioration in the quality of life for all of who currently love and use the park, not to mention the countless number of tourists who won't stop to have lunch/dinner at giginos, or get a coffee or snacks/drinks from the other vendors.

The various drawings, model and videos do not reconcile with each other. It violates due process to ask for comments and input on renderings that are inconsistent with each other and, therefore, do not provide adequate notice or opportunity for a meaningful understanding and opinion by the public.

Please reconsider the current plan.

Regards a concerned long term resident of Battery Park.  
Monica De Martin

Sent from my iPhone

**From:** [Denis](#)  
**To:** [Hello@bpcna.org](mailto>Hello@bpcna.org); [Filomena, Claudia](#)  
**Subject:** Wagner park  
**Date:** Monday, June 13, 2022 12:00:39 AM

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Please do not demolish Wagner park. It is already on a slope. We don't need a community center in Wagner park.  
We don't want the redesign of the park.



**From:** [Zeshan Dhanani](#)  
**To:** [Filomena, Claudia](#)  
**Subject:** BPC Resident - Opposition to Wagner Park Closure  
**Date:** Tuesday, June 7, 2022 03:27:20 PM

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Dear Ms. Filomena,

My family and I are residents of Battery Park City and have lots of respect for the BPCA and all the programming you put on, particularly Stories and Songs, Kindie Rock at Wagner Park, Sunset Circle, Preschool Art, Preschool Play which used to happen in the fall at Wagner Park, the gardening and sports, the apacella competition amongst schools that used to happen, as well as other programming at Rockefeller and Wagner parks, such as the Swedish Mid-Summer festival.

I write to you today to voice my strong opposition to your plans to close Wagner Park for two years and take away our precious green space. Our community was barely consulted, and we would be the ones who would suffer. The current iteration of plans appears to be under the pretense of climate resiliency but in reality a commercialization of our beautiful and precious green space.

I ask that you please pause the plans of the closure, gather more community input, and at the very least, undergo them option that would allow part of the park to continue to stay open.

Thanks so much,  
Zee Dhanani

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**Zeshan S. Dhanani**  
**480.577.0859**

# Wagner Park Construction

Christine D <christine@goodhomeco.com>

Thu 6/2/2022 9:33 AM

To: Filomena, Claudia <claudia.filomena@bpca.ny.gov>; hello@bpcna.org <hello@bpcna.org>;

Hi –

I am writing to voice my concern about the upcoming construction in Wagner Park.

First, I am well aware that we need to make our beloved neighborhood and city more resilient. No argument from me. However I am deeply concerned that the opportunity to become more resilient is being used as a way to also be more commercial.

I am also deeply saddened to hear from the local BPC gardeners that NONE of the trees and flowers and plants are slated to be saved or transplanted. These exquisite trees will be stumps in just a few months.

How can you talk resiliency and take out the plants and trees that help sequester our carbon?

I shouldn't be surprised given the decimation of cherry trees just a mile away on the LES, but I honestly can't understand how saving the greenery wasn't a part of the plan.

When it is the trees and plants that will help us stay climate resilient.

Thank you for your time.

Christine  
Christine Dimmick

CEO/Founder – The Good Home Company

Author – “Detox Your Home” [Available on Amazon.com](#)

Podcast – [www.bethechange.nyc](http://www.bethechange.nyc)

[www.christinedimmick.com](http://www.christinedimmick.com)

[www.goodhomestore.com](http://www.goodhomestore.com)

@christinednyc  
@goodhomeco  
@[bethechange.nyc](#)



**VITTORIA  
FARIELLO**

Democratic District Leader  
Assembly District 65 Part C  
Candidate- NY State Senate 27



vittoria@vittorianyc.com

225 Broadway, 29th Floor New York, NY 10007

**To :**

**CLAUDIA FILOMENA**

Director of Capital Projects for the Battery Park City  
Authority

claudia.filomena@bpca.ny.gov

200 Liberty Street, 24th Floor New York, NY 10281

June 10, 2022

**Dear Ms. Filomena,**

My name is Vittoria Fariello and I am the Democratic District Leader here in Battery Park City. I am writing to urge that you pause any current plans for resiliency at Wagner Park in Battery Park City (BPC). Resiliency must be urgently and effectively addressed, but the current plans are costly, ineffective, and fail to address the needs of BPC residents.

The Community Board has passed a number of resolutions that urge the Battery Park City Authority (BPCA) to reconsider the plan in order to better address resiliency and simultaneously provide the community with more green space. The Battery Park City Neighborhood Association and the Battery Park City Alliance also support pausing the current plan. I ask that the BPCA work with the community to address all their needs.

Again, I wish to express support for the sense of urgency for resiliency, which is why it is perplexing that the BPCA would start with Wagner Park. Wagner Park was built to withstand a 100 year storm, and in fact did not flood during SuperStorm Sandy. The BPCA is currently planning to spend millions of dollars to uproot Wagner Park when protection is more urgently needed elsewhere in BPC.

I urge the BPCA to meet with the residents and elected officials to quickly and effectively address all these concerns. I look forward to hearing from you.

Kind regards,

Vittoria Fariello



**From:** [Jack Fisher](#)  
**To:** [Filomena, Claudia](#)  
**Subject:** South Battery Park Resiliency Project  
**Date:** Sunday, June 12, 2022 02:56:57 PM

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Dear BPCA,

As a 33 plus year resident of Battery Park City I can certainly agree with the position that we need more active green space. Please give this your utmost consideration when assessing the final details of this project.

Thank you for the assistance.

John R. Fisher

**From:** [Christopher Galati](#)  
**To:** [Filomena, Claudia](#)  
**Cc:** [hello@bpcna.org](mailto:hello@bpcna.org); [Allin Wang](#)  
**Subject:** hi Claudia - request to pause Wagner Park restoration project -  
**Date:** Friday, June 10, 2022 05:13:36 PM

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Hi Claudia,

I am writing to express concern in the Battery Park City community that the Wagner Park restoration project is going ahead without proper community support and feedback. We, the taxpayers in the community who are footing the bill for the project, would appreciate having our voices heard, especially since the project would close down our beloved backyard for 2-3 years.

We are requesting to PAUSE the Wagner Park restoration project until more local residents are consulted. We are not against ecological restoration to improve flood control. We are just asking for our thoughts to be heard before such a long-term project begins. Please PAUSE this project.

Thank you,  
Chris Galati  
30 West St, New York, NY 10004

**From:** [D.G](#)  
**To:** [Filomena, Claudia; hello@bpcna.org](mailto:hello@bpcna.org)  
**Subject:** Wagner park resiliency project  
**Date:** Tuesday, June 7, 2022 08:51:51 AM

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Hello

As a long time (10 year in BPc and 20 in tribeca) I am outraged to hear about Wagner part resiliency project. Wagner Park is currently a fully useful and beautiful green space that our community especially the children use says regularly.

If anything we need more green space not less. It's an outrage that we are not included in these discussions and design in the area in which we live, we take care of and pay taxes for and have built a community around.

I am strongly against your plans which must take into consideration the way the community feels versus using out dollars without our input.

Sincerely  
Dan Gluck

# Wagner Park project proposal

Jacky Goldman <jacky.fortune@gmail.com>

Wed 6/1/2022 8:36 PM

To: hello@bpcna.org <hello@bpcna.org>; Filomena, Claudia <claudia.filomena@bpca.ny.gov>;

To Whom it may concern:

My husband and 3 children and I live in Battery Park City and have enjoyed spending time in Wagner Park during our 10 years in the neighborhood. We picnic in the park in the summer, have had Girl Scout meetings on the grass throughout the year, our kids have flown kites on the lawn, we did the preschool play in the grassy areas, our kids have played ball and ran around and chased butterflies for hours. We love Wagner Park's green spaces!

While I support residency projects and believe action is needed to protect all of Lower Manhattan from severe flooding, I also want to protect our green spaces. We want as many trees and as much green area to play and picnic as possible. Minimize concrete! Prioritize the communities needs in the design and think of the families and school groups that use this area daily. Green spaces make Battery Park city the amazing area that it is and without it this area will be sorely lacking the draw that it currently has.

Thank you.

~Jacky Goldman

333 Rector Place Apt 404

480-459-0330



**From:** [CRYSTAL HALL](#)  
**To:** [Filomena, Claudia](#)  
**Cc:** [william Aurnhammer](#)  
**Subject:** Public Comments: South BPC Resiliency project  
**Date:** Friday, June 10, 2022 08:04:39 AM

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To whom it may concern:

I commend the BPCA for taking this initiative, but I have two grave concerns about the plan.

1. New Wagner Park Pavilion

This proposed building is too large and not necessary. Wagner Park is a public park space. It was never intended to be a commercial space. The BPCA is using this resiliency effort as a cover to build a massive building with the sole purpose of generating rent. The community doesn't want another huge building blocking our views of the sky and river. Our community view is already blocked by apartment buildings and the Jewish Museum. The one open view to the water is Wagner Park. This new plan completely blocks the neighborhood view and reduces our dwindling green space dramatically.

The new Wagner Park Pavilion is too big and not necessary.

2. Loss of public green space

This clever plan of terraced walkways appears to solve some of the flood issues but at the cost of usable green spaces. I would humbly ask the designers reassess with the goal of maintaining usable green space. Remove the pavilion and make the top of the berm all green space. This is a community park not a shopping mall.

Thank you for the opportunity to comment.

CRYSTAL HALL  
917-545-8945  
[crystalhall@me.com](mailto:crystalhall@me.com)

**From:** [Barbara Ireland](#)  
**To:** [Filomena, Claudia](#)  
**Cc:** [martin001@juno.com](mailto:martin001@juno.com)  
**Subject:** South Battery Park City Resiliency - hold  
**Date:** Friday, June 10, 2022 05:25:08 PM

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Claudia Filomena  
Battery Park City Authority  
200 Liberty Street, 24th Floor  
New York, NY 10281

Martin Heilweil requests the South Battery Park City Resiliency project be halted.  
Martin requests a copy of the survey data that was used to determine the community needs used to develop the site.  
The full time owners and renters reflected a small percentage than that of the visitor population that come to Wagner for an hour. Visitors have time for a survey chat since they are not seriously impacted by the outcomes, like residence. Did the survey fully understand the communities needs and voice?

Martin Heilweil home owner at 300 Rector Place martin001@juno.com 212.799.5453

**From:** [Michael Horan](#)  
**To:** [Filomena, Claudia](#)  
**Cc:** [hello@bpcna.org](mailto:hello@bpcna.org)  
**Subject:** Wagner Park construction project  
**Date:** Friday, June 10, 2022 01:01:02 PM

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Hello

I have been a resident of Battery Park City for almost 15 years. My wife and I are raising our family here, our children go to PS 276 and we have been committed to NYC and to the wonderful neighborhood and community that is BPC.

I am writing to express my strong opposition to the planned construction project at Wagner. Information is not clear and the plans that are available do not seem to make sense. This needs to be paused to ensure proper information and that any work done actually makes sense. As it currently stands this project would shake my confidence in the long term viability of living and raising a family here.

We support resiliency projects and believe action is needed to protect all of lower Manhattan from severe flooding.

We expect our leaders to focus on creating an integrated plan that maximizes active green spaces, preserves old growth trees and prioritizes the community's needs in all designs and design principles.

Closing this park for this period will result in a significant deterioration in the quality of life for the nearby community.

The various drawings, model and videos do not reconcile with each other. It's not fair and violates due process to ask for comments and input on renderings that are inconsistent with each other and, therefore, do not provide adequate notice or opportunity for a meaningful understanding and opinion by the public.

Michael Horan

**From:** [Zafrin Hossain](#)  
**To:** [hello@bpcna.org](mailto:hello@bpcna.org); [Filomena, Claudia](#)  
**Subject:** Urgent Attention - Design review  
**Date:** Tuesday, June 7, 2022 09:55:50 AM

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Hello,

I have been a BPC resident for the last 6 years and the most important element of this neighborhood has been the rare green spaces which cannot be found anywhere else in the city. I live in South Battery Park at 30 West and Wagner Park has been the most important space for us over the years and especially during the pandemic. The green space where locals and tourists come together to breathe, connect and enjoy the sunset and water views, has been crucial for us. These social activities do not happen where there are paved platforms.

The current Wagner Park design has many design flaws which need to be addressed. As an Architect and designer, I can assure you this is not how people connect and spaces get utilized. The renders shown with people gathering around steps and paved platforms is not realistic. This will be an unused area and a continuation of 21 South End Ave. - which has potential to be so much more vibrant and alive.

We urge the authorities to revisit the design so that there is a balance of green space and restaurants in the new design for our beloved Wagner Park.

Thanks,  
Zafrin  
30 West st - 2C

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PARIS  
19 rue Béranger  
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[zafrin@vpinteriors.com](mailto:zafrin@vpinteriors.com)  
zafrin hossain  
631 374 9234 cell  
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**From:** [Barbara Ireland](#)  
**To:** [Filomena, Claudia](#)  
**Subject:** Drainage Robert F. Wagner Jr. Park  
**Date:** Friday, June 10, 2022 05:51:19 PM

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Claudia Filomena  
Battery Park City Authority  
200 Liberty Street, 24th Floor  
New York, NY 10281  
[Claudia.Filomena@bpca.ny.gov](mailto:Claudia.Filomena@bpca.ny.gov)

I am a long-time resident at 300 Rector Place and a small business owner.

Please provide the community with the plans set out for the RPF. We are not seeing a to-scale plan for proper feedback.

The community has not seen the water holding tanks or plans to show the underlying drainage systems. The model at 200 Rector would result in major flooding along with the Museum of Jewish Heritage and 50 Battery Place.

Where is the biker path?

The Battery Place sidewalk is very narrow at the pinch point.

The community has not seen the detailed floorplan of the three-story building. Not any/many windows for a quality restaurant or community space.

Where are the bathrooms upper and lower?

The current community use space is not used frequently or needs a large group @ 6 River Terrace, Asphalt green, Stuyvesant, and 200 Rector. Do you also have community space at 200 Liberty, 75 Battery, and Pier A? No need for more.

The Robert F. Wagner Jr. Park design was created by a world-class team whose collaboration is a renowned destination to see the Statue of Liberty. Laurie Olin Lynden Miller, with Machado and Silvetti, created a peaceful place. These plans show many ramps that are difficult for the handicapped, elderly, and wheelchairs. The view of the harbor is blocked by overplanting and tall trees. Wood benches as steps that are difficult for the elderly and require upkeep.

Please let the community receive your feedback on all of the questions that have been raised over the years before you start this project.

Barbara Ireland 917.691.4230

**From:** [Brendan Joyce](#)  
**To:** [Filomena, Claudia](#)  
**Subject:** Wagner park closing - lack of due process from immediate residents  
**Date:** Saturday, June 11, 2022 04:00:57 PM

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Hello.

We support resiliency projects and believe action is needed to protect all of lower Manhattan from severe flooding.

We expect our leaders to focus on creating an integrated plan that maximizes active green spaces, preserves old growth trees and prioritizes the community's needs in all designs and design principles.

Closing this park for this period will result in a significant deterioration in the quality of life for the nearby community.

The various drawings, model and videos do not reconcile with each other. It violates due process to ask for comments and input on renderings that are inconsistent with each other and, therefore, do not provide adequate notice or opportunity for a meaningful understanding and opinion by the public.

Brendan Joyce  
380 Rector Place Resident and Taxpayer

--

Brendan Joyce  
[brendanjoyce7@gmail.com](mailto:brendanjoyce7@gmail.com)  
+1 925 324 2155

**From:** [Jared Joyce-Schleimer](#)  
**To:** [Filomena, Claudia](#)  
**Cc:** [hello@bpcna.org](mailto:hello@bpcna.org)  
**Subject:** Wagner Park  
**Date:** Friday, June 10, 2022 01:02:46 PM

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Hi Claudia,

I appreciate the necessity of resilience projects in NYC and commend you and the City for your work on them.

I rarely write for matters like these, but green space in the area is important to my family, with young kids. It is particularly important to preserve those limited accessible areas in and around battery park. I would be grateful if you would give weight to the views of the local community and revisit the resiliency plans for Wagner Park, making preservation of its green space and existing trees a priority.

Thank you,

Jared Joyce-Schleimer  
FiDi resident

**From:** [Kevin Juneja](#)  
**To:** [Filomena, Claudia](#)  
**Cc:** [hello@bpcna.org](mailto:hello@bpcna.org)  
**Subject:** Wagner Park project concerns  
**Date:** Friday, June 10, 2022 10:04:31 AM

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Please produce a consistent set of project plans before moving forward with the Wagner Park project.

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We support resiliency projects and believe action is needed to protect all of lower Manhattan from severe flooding.

The various drawings, model and videos do not reconcile with each other.

To ask for comments and input on renderings that are inconsistent with each other is negligent

There is not adequate notice or opportunity for a meaningful understanding and opinion by the public.



# Wagner Park

lisusha@yahoo.com

Wed 6/1/2022 9:32 PM

To: Filomena, Claudia <claudia.filomena@bpca.ny.gov>;

Cc: hello@bpcna.org <hello@bpcna.org>;

Hello,

My name is Alisa Krutovsky. My family and I have been residents of Battery Park City since 2015. I had two of my kids here, raising them among these parks and nature from their birth. BPC nature was one of the only few places in the whole city that saved New Yorkers in pandemics and served as an escape to many, many residents of this city. Wagner park is one of the most essential parts of the city. It's one of the reasons people move here, buy property here and are willing to pay high taxes and high prices - to be in a green space.

When we first learned about the Wagner park project last weekend from a banner on a lawn, we were shocked and appalled. Shocked that it will be closing in the middle of the summer (!!!), but that it will be closed for two years and that the proposed design is absolutely horrific! It literally wipes out all the nature of the park/area that gives New Yorkers a breath of fresh air! But what was appalling is the fact that so many people at your organization approved this design.

My family of 4 people is opposed to this design. We are also opposed to the closure date. You should not close the park earlier than October. And you should not redesign it by wiping out all the trees and grass areas. We understand the need for elevation and saving the area from flooding and support it but we do not agree to the proposed design!

Thank you.

Sincerely,

Alisa

**From:** [Christophe Larroque](#)  
**To:** [Filomena, Claudia](#)  
**Cc:** [hello@bpcna.org](mailto:hello@bpcna.org)  
**Subject:** Wagner Park project  
**Date:** Friday, June 10, 2022 10:39:57 AM

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Ms. Filomena,

My name is Christophe Larroque and I have been living at 21 West street for 8 years now. Wagner Park is a very important part of my family's life - both our young daughters have spent significant time playing in the grass, discovering the flowers, fishing off the side of the railing, having evening picnics, participating in birthday parties... We also have a third child due in August, and the thought of Wagner Park being closed is unfathomable to us.

I support resiliency projects and believe action is needed to protect all of lower Manhattan from severe flooding.

I expect our leaders to focus on creating an integrated plan that maximizes active green spaces, preserves old growth trees and prioritizes the community's needs in all designs and design principles.

Closing this park for this period will result in a significant deterioration in the quality of life for the nearby community.

The various drawings, model and videos do not reconcile with each other. It's not fair and violates due process to ask for comments and input on renderings that are inconsistent with each other and, therefore, do not provide adequate notice or opportunity for a meaningful understanding and opinion by the public.

I, like so many of my fellow neighbors, ask that this project be put on hold so that we can properly engage in a dialogue about our community's actual needs and desires.

Thank you for your time,  
Christophe Larroque

**From:** [VL](#)  
**To:** [Filomena, Claudia](#)  
**Cc:** [HELLO@bpcna.org](mailto:HELLO@bpcna.org)  
**Subject:** Wagner Park Redesign Does Not Work for the Residents of BPC  
**Date:** Friday, June 10, 2022 06:35:32 AM

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Claudia,

We support resiliency projects and believe action is needed to protect all of lower Manhattan from severe flooding.

We expect our leaders to focus on creating an integrated plan that maximizes active green spaces, preserves old growth trees and prioritizes the community's needs in all designs and design principles.

Closing this park for this period will result in a significant deterioration in the quality of life for the nearby community.

The various drawings, model and videos do not reconcile with each other. It's not fair and violates due process to ask for comments and input on renderings that are inconsistent with each other and, therefore, do not provide adequate notice or opportunity for a meaningful understanding and opinion by the public.

Please halt plans to close Wagner Park until a thorough review and feedback by the BPC residents have been carefully considered.

Thank you.

**From:** [Sherry Lee](#)  
**To:** [Filomena, Claudia](#)  
**Cc:** [hello@bpcna.org](mailto:hello@bpcna.org)  
**Subject:** Oppose the rebuild of Wagner Park  
**Date:** Friday, June 10, 2022 02:48:33 PM

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Hello,

I'm a homeowner in Battery Park City. Both of my kids were born and raised here. I'm strongly against the plan of rebuilding Wagner Park.

As a mom, I hope my kids will not lose 2-3 years in their childhood with construction sites taking away the public lawn that they can play on. My kids are deeply attached to the gardens, plants, and trees in Wagner Park. It is the most used area in BPC for our family.

As a professional with an urban planning major in college and master 's degree from environmental school, I'm truly disappointed by the choice of damaging the local ecosystem that has been evolving for decades and eventually stabilizing. It is a shame that the decision making process has been bypassing the residents who pay for the common charges and use the lawns most.

I understand that there is hope to add more shops to this area. With lots of retail vacancy in Brookfield, it is not a priority issue to take away the green, which makes BPC special.

I strongly oppose the project in Wagner Park.

Sherry Lee  
Resident and homeowner of Battery Park City

**From:** [Edna Little](#)  
**To:** [Filomena, Claudia](#)  
**Cc:** [hello@bpcna.org](mailto:hello@bpcna.org)  
**Subject:** Closure of Wagner Park  
**Date:** Sunday, June 12, 2022 01:45:27 AM

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We support resiliency projects and believe action is needed to protect all of lower Manhattan from severe flooding.

We expect our leaders to focus on creating an integrated plan that maximizes active green spaces, preserves old growth trees and prioritizes the community's needs in all designs and design principles.

Closing this park for this period will result in a significant deterioration in the quality of life for the nearby community.

The various drawings, model and videos do not reconcile with each other. It violates due process to ask for comments and input on renderings that are inconsistent with each other and, therefore, do not provide adequate notice or opportunity for a meaningful understanding and opinion by the public.

**From:** [Adrian Mak](#)  
**To:** [Filomena, Claudia](#)  
**Cc:** [hello@bpcna.org](mailto:hello@bpcna.org)  
**Subject:** South Battery Park City Resiliency Project  
**Date:** Monday, June 6, 2022 10:15:14 PM

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Hi Claudia,

I'm a resident of BPC (10 West Street) right in front of Wagner Park. I'm writing to express my opinion that the South Battery Park City Resiliency Project should really focus on maximizing active green space, protecting trees, adding more grass over concrete, and prioritizing the needs of the BPC community over additional commercial space.

I am concerned that the current plan creates more concrete rather than green space in Wagner Park, and I hope that the BPCA will reconsider this project such that this goal is achieved.

Thank you for your time and consideration.

Best Regards,  
Adrian Mak  
[adrian.mak@gmail.com](mailto:adrian.mak@gmail.com)  
10 West Street 37A  
New York, NY 10004  
650-804-0033

**From:** [Amaliya Makarovskaya](#)  
**To:** [Filomena, Claudia](#)  
**Cc:** [hello@bpcna.org](mailto:hello@bpcna.org)  
**Subject:** Wagner Park closure and construction -WE NEED MORE GREEN SPACE! STOP THIS PLEASE!!!  
**Date:** Monday, June 6, 2022 09:01:43 PM

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Dear Ms. Filomena

Writing to you to appeal for common sense and logic as well as consideration from your organization regarding Wagner park construction that is going to kick off this August and for the next 2 years. This is something not only inconvenient for this community but most importantly **the designs of the new space do not reflect what this community stands for. We need MORE GREEN SPACE, MORE GREEN ACTIVE SPACE**, so our kids, our young and old community members, as well as visitors can enjoy this special gem of NYC. We live in concrete jungle already, what are we doing creating more concrete structures in something that is already A PARK? We demand our voices to be heard on design, timing and execution of this plan.

We live here, we use this park daily, we pay our taxes - some of the biggest in NY! We have to be included in this decision. similarly to “no taxation without representation” the taxpayers and residents of this part of the city/state the BATTERY PARK CITY RESIDENTS should be heard and taken into consideration before you embark on this costly, lengthy and by far non-green journey.

We have to go back to the drawing board and amend the designs and include BPC RESIDENTS in this process. As much as we want to make this city storm resilient- we cannot create more concrete space while “saving the planet” and “worry about climate”.

Stop cutting trees down, stop creating more concrete structures that benefit nobody, Stop making erratical decisions and start working together with people from this community. We have a community of brilliant, talented people, surely we can figure out something better, greener and beneficial to all parties involved!

Regards,  
Amaliya Makarovskaya  
Battery Park City Resident  
Tel. 646-637-3232

**From:** [Daniel Marsili](#)  
**To:** [Filomena, Claudia](#)  
**Cc:** [Daniel Marsili](#); [hello@bpcna.org](mailto:hello@bpcna.org)  
**Subject:** Wagner Park  
**Date:** Thursday, June 9, 2022 07:29:09 AM

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Dear Ms. Filomena

I am writing to strongly request BPCA pause it's plans to demolish and reconfigure our neighborhood's beloved green space at Wagner Park, until members of the neighborhood can have ample time to be heard. This park is an integral part of our community's play space and should not be developed under a resiliency plan. While a BPCA resiliency plan is important to battle climate change - elements of the plan should not be implemented at the cost of green space and old growth trees, nor should it be implemented without ample time for residents to comment and without extensive communication to ensure that BPCA residents are aware of the plans and communicate with the Authority.

Thank you,

Daniel Marsili  
333 Rector Place

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**Daniel Marsili | Principal**

*Yale Point Advisors, LLC | Human Resources | Leadership*

10 Yale Road, Sag Harbor, NY 11963

[danielbmarsili@gmail.com](mailto:danielbmarsili@gmail.com) | 917-743-4232



**From:** [Mary-Margaret Martin](#)  
**To:** [Filomena, Claudia](#)  
**Subject:** Wagner Park  
**Date:** Thursday, June 9, 2022 04:27:51 PM

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BPCA -

We've been told that Wagner Park is closing in August 2022 for TWO years. We are very concerned about the timing, two years without green space is a long time. And is this time estimation from pre-Covid? Because construction times are much longer post-Covid. We cannot be without a park for 2, 3, or 4 years. We are also concerned about the green space. We need to know how the size of the continuous green space (lawn) will compare to the current lawns.

We support resiliency projects and believe action is needed to protect all of lower Manhattan from severe flooding.

We expect our leaders to focus on creating an integrated plan that 1) first focuses on the "pinch" points and most vulnerable areas; 2) maximizes active green spaces; 3) protects trees as much as possible; 4) prioritizes grass over concrete; and 5) prioritizes the community's needs in all designs and design principles.

Sincerely,

Mary-Margaret Martin

Sent from mmmiPhone

**From:** [Chris Matchett](#)  
**To:** [Filomena, Claudia](#)  
**Subject:** Wagner Park Design  
**Date:** Tuesday, June 7, 2022 08:31:44 AM

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Hi. I have lived and owned in Battery Park for over 10 years and I recently saw the horrible design for the Wagner Park Resiliency Project.

There is no doubt that we need the resiliency upgrade but less green space instead of more green space makes no sense.

The beauty of Battery Park is it's connection to the water and greenery, a veritable suburb that's still in Manhattan.

I would ask that you reject the current design and help bring about a better and more natural, green-space maximized, solution for Wagner Park.

Thank you,  
Chris Matchett

-----  
Chris Matchett  
M: 917.886.0278

**From:** [Erin Voorhies Mayo](#)  
**To:** [Filomena, Claudia](#)  
**Cc:** [hello@bpcna.org](mailto:hello@bpcna.org)  
**Subject:** Wagner Park  
**Date:** Sunday, June 12, 2022 09:44:42 AM

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Dear Claudia,

We support resiliency projects and believe action is needed to protect all of lower Manhattan from severe flooding.

We expect our leaders to focus on creating an integrated plan that maximizes active green spaces, preserves old growth trees and prioritizes the community's needs in all designs and design principles.

Closing this park for this period will result in a significant deterioration in the quality of life for the nearby community.

The various drawings, model and videos do not reconcile with each other. It violates due process to ask for comments and input on renderings that are inconsistent with each other and, therefore, do not provide adequate notice or opportunity for a meaningful understanding and opinion by the public. #wagnerpark #bpca #batteryparkcity #petition #kids #greenspace #parks

Erin Mayo

**From:** [James McGrath](#)  
**To:** [Filomena, Claudia](#)  
**Subject:** Wagner Park  
**Date:** Thursday, June 9, 2022 06:54:56 PM

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I am a Battery Park City resident, and I am opposed to both the planned demolition of Wagner Park and to the proposed plan for the use of that space.

James McGrath  
200 Rector Place  
New York, NY. 10280  
(631) 681-3117

Sent from my iPhone

# BPCA

Preeti Mehta <preetum7@gmail.com>

Thu 6/2/2022 9:27 AM

To: Filomena, Claudia <claudia.filomena@bpca.ny.gov>;

We support resiliency projects and believe action is needed to protect all of lower Manhattan from severe flooding.

We expect our leaders to focus on creating an integrated plan that

- 1) first focuses on the "pinch" points and most vulnerable areas;
- 2) maximizes active green spaces;
- 3) protects trees as much as possible; 4) prioritizes grass over concrete; and 5) prioritizes the community's needs in all designs and design principles.

Regards,  
Preeti Mehta  
200 Rector Place, NY

**From:** [Kiran Merchant](#)  
**To:** [Filomena, Claudia](#)  
**Cc:** [hello@bpcna.org](mailto:hello@bpcna.org)  
**Subject:** Wagner Park  
**Date:** Friday, June 10, 2022 06:22:03 PM

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Ms. Filomena

I certainly support resiliency projects and believe action is needed to protect all of lower Manhattan from severe flooding.

We expect our leaders to focus on creating an integrated plan that maximizes active green spaces, preserves old growth trees and prioritizes the community's needs **in all designs and design principles**. As an urban designer myself and a former Chief of Planning Division for Port Authority of NY&NJ's aviation department, I can attest that the various drawings, model and videos do not reconcile with each other. **This violates the due process and it is not fair to ask for comments and input on renderings that are inconsistent with each other and, therefore, do not provide adequate notice or opportunity for a meaningful understanding and opinion by the public.**

**Closing this park for this period will result in a significant deterioration in the quality of life for the nearby community, and we strongly oppose this idea.**

Kiran Merchant and Family  
200 Rector Place, New York, NY 10280

**From:** [Sandra Myburgh](#)  
**To:** [Filomena, Claudia](#)  
**Cc:** [hello@bpcna.org](mailto:hello@bpcna.org)  
**Subject:** Save Wagner's Green Space  
**Date:** Thursday, June 9, 2022 08:23:35 PM

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Claudia,

We support resiliency projects and believe action is needed to protect all of Manhattan from severe flooding.

I would suggest that the money is used to find realistic solutions to protect NYC's Harbor Entrances from Flooding first.

We expect our leaders to focus on creating an integrated plan that

- 1) first focuses on the "pinch" points and most vulnerable areas;
- 2) maximizes active green spaces; 3) protects trees;
- 4) prioritizes grass over concrete;
- and
- 5) prioritizes the community's needs in all designs and design principles.

Our community has more than 60,000 residents and our local leaders did not give us the proper voice to participate in these decisions.

Best,  
Sandra Myburgh  
917 750 9667



**Comments of New York State Assemblymember Yuh-Line Niou to the Battery Park City Authority Regarding the Draft Environmental Impact Statement for the South Battery Park City Resiliency Plan**

*Assemblymember Niou represents the 65th Assembly District which includes Battery Park City, Chinatown, the Financial District, the Lower East Side, and the South Street Seaport.*

As the Assemblymember representing Battery Park City in the state legislature, I am submitting this testimony to urge the Battery Park City Authority (BPCA) to meet the need for green space in our community and fully implement the community input that the BPCA has received in the past years within the design and construction of resiliency projects in the Battery Park City area.

Green space is scarce, particularly in Lower Manhattan. In the past decade, our community's overall green space has rapidly disappeared or been privatized. Increasing access to green space district-wide and protecting existing spaces is a priority for me and all of my constituents. I recognize that the important and urgent work of increasing coastal resiliency necessarily requires temporary closure of some of these areas. However, I believe that when they reopen, they should ultimately provide more usable, green space than previously while also providing the necessary resiliency protections. Upon evaluating the design, residents have made it clear that they believe this proposal ultimately lowers the amount of usable green space for families and residents in the community. Residents have requested more open, green space dedicated to family needs such as uninterrupted, open field and lawn space, rather than raised beds and plazas which are less functional for the community.



At East River Park, we see an example of a deeply disappointing process that failed to capture the priorities of the community and actively destroyed vital green space. I am appreciative of the BPCA for taking some steps to maintain transparency and avoid the opaque, disheartening process that we have observed in that area. Ultimately, however, it is not just the process that matters, but the results. Community input has been provided to the BPCA throughout this project, and while the BPCA has recognized receiving the input, there are many concerns as to whether or not the BPCA is actually implementing the input in their plans. They don't see the concerns they raised years ago being resolved. They remain particularly troubled by the lack of open, green space as mentioned previously and potential design flaws in the plan that could redirect flooding to low points in Tribeca. Furthermore, many residents are upset and confused about recent information that the Authority did not apply for any federal funding and decided to instead finance the project entirely on bonds backed by ground rent increases.

From the successful Pause the Saws campaign to my recently passed bill to expand community voices on the BPCA board, it has been a landmark set of years for increasing community representation in Battery Park City. It is important that we as government partners to the community see their voice not as something to manage or tolerate, but rather as meaningful input to consider and learn from. There is a path towards a new Wagner Park that both meets the region's resiliency needs and the neighborhood's green space needs. That path lies through careful consideration of feedback, through adaptability, and through collaborative decision making. We have a real opportunity to create a park even better than the one we currently have, so that after years of construction and closures, our community can be greeted by something that amazes, rather than disappoints.

I urge the Battery Park City Authority to take this opportunity to show the city that resiliency and environmental responsibility do not have to be cloak and dagger processes filled with sacrifice and disappointment, but can be exciting opportunities to remake our physical landscapes while protecting our community from climate change. A more resilient New York can be a greener and better city than the one we have currently, and the BPCA can be a role model to decision makers citywide in making that happen.

Thank you.

**From:** [nsubramani@aol.com](mailto:nsubramani@aol.com)  
**To:** [Filomena, Claudia; hello@bpcna.org](mailto:Filomena.Claudia@bpcna.org)  
**Subject:** save wagner park  
**Date:** Thursday, June 9, 2022 11:57:45 PM

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I am a resident in Battery Park city (south neighborhood) for 22 years.  
Please do not demolish Wagner Park. We are opposed to both the demolition and the concrete redesign of Wagner Park.  
The area and the park are already on a slope. We don't want to see the destruction of the granite benches, the staircase and deck. We don't need a community center in Wagner Park.

Stop the destruction of Wagner Park now.

**From:** [Bhanu Patil](#)  
**To:** [Filomena, Claudia](#)  
**Cc:** [hello@bpcna.org](mailto:hello@bpcna.org)  
**Subject:** Wagner Park closing  
**Date:** Saturday, June 11, 2022 10:28:56 AM

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We support resiliency projects and believe action is needed to protect all of lower Manhattan from severe flooding.

We expect our leaders to focus on creating an integrated plan that maximizes active green spaces, preserves old growth trees and prioritizes the community's needs in all designs and design principles.

Closing this park for this period will result in a significant deterioration in the quality of life for the nearby community.

The various drawings, model and videos do not reconcile with each other. It's not fair and violates due process to ask for comments and input on renderings that are inconsistent with each other and, therefore, do not provide adequate notice or opportunity for a meaningful understanding and opinion by the public.

**From:** [Maryann Peronti](#)  
**To:** [Filomena, Claudia](#)  
**Cc:** [hello@bpcna.org](mailto:hello@bpcna.org)  
**Subject:** Do Not Close Wagner Park for 2 Years  
**Date:** Sunday, June 12, 2022 04:30:23 PM

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Dear Ms. Filomena,

I support resiliency projects and believe action is needed to protect all of lower Manhattan from severe flooding.

I expect our leaders to focus on creating an integrated plan that maximizes active green spaces, preserves old growth trees and prioritizes the community's needs in all designs and design principles. I also believe that it is your duty to include the community in all design decisions.

Closing Wagner Park for this period will result in a significant deterioration in the quality of life for our community.

The various drawings, model and videos do not reconcile with each other. It violates our community's rights to transparency and involvement in community changes to ask for comments and input on renderings that are inconsistent with each other and, therefore, do not provide adequate notice or opportunity for a meaningful understanding and opinion by the public.

It is also outrageously consistent with the BPCA's historical pattern and practice to ask for comment when the decisions have been made and the project is a fait accompli! I object to this continuous practice and ask you to halt any closure of Wagner Park until you have fully cooperated with the Battery Park City residents to preserve that beautiful green space and make the Battery Park City your equal partners in any resiliency plans for our community!

Maryann Peronti, Esq.  
380 Rector Place

**From:** [Vicki Raikes](#)  
**To:** [Filomena, Claudia](#)  
**Cc:** [hello@bpcna.org](mailto:hello@bpcna.org)  
**Subject:** Opposed to the Wagner Park Design  
**Date:** Friday, June 10, 2022 09:49:24 AM

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Ms. Filomena,

I am a community member who owns an apartment on Wall Street, has lived in the area (including BPC) since 2006, and is currently raising two children here. My boys and I frequently use Wagner Park and the Esplanade to enjoy some green space.

I object to the designs that have been set forth which will close the park for an unreasonable amount of time, disrupting the community here, and which will result in massive amounts of paved areas. **Downtown families need active green space.** I request that the construction schedule be paused until an improved design and timetable are approved, with community input.

I support the resiliency efforts, but not at the cost of our precious green spaces. There is ample space inside Pier A for commercial opportunities if this is truly what is required to fund the resiliency - please look at existing options and do not pave over our park.

Thank you,  
Victoria Raikes

## Filomena, Claudia

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**From:** Sbordone, Nicholas  
**Sent:** Monday, June 6, 2022 10:06 AM  
**To:** Esther Regelson; info bpc  
**Cc:** Michelle Ashkin; Kaitlyn Parkins; jwilson@nycaudubon.org; Matthew Fenton; Tammy Meltzer; Catherine McVay Hughes; wildbirdfund nyc; Filomena, Claudia  
**Subject:** RE: Resiliency Plan for Wagner Park and Lower Manhattan

Esther:

Good morning and thank you for the note – and nice seeing your name come across again! We will include this as part of our Draft Environmental Impact Statement public comment period, which runs through Friday, June 10. The final Environmental Impact Statement, which will address all comments received, should be completed by August.

Thank you.

Sincerely—

Nick Sbordone  
BPCA  
(646) 531-2276

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**From:** Esther Regelson [mailto:estjack@earthlink.net]  
**Sent:** Friday, June 03, 2022 3:35 PM  
**To:** info bpc <info.bpc@bpca.ny.gov>  
**Cc:** Michelle Ashkin <michelleashkin@yahoo.com>; Kaitlyn Parkins <kparkins@nycaudubon.org>; jwilson@nycaudubon.org; Matthew Fenton <mmfenton@mindspring.com>; Tammy Meltzer <tmeltzernyc@gmail.com>; Catherine McVay Hughes <cmh176@gmail.com>; wildbirdfund nyc <wildbirdfundnyc@gmail.com>  
**Subject:** Resiliency Plan for Wagner Park and Lower Manhattan

To Whom It May Concern:

We have studied your resiliency plan for Wagner Park, but there is something that we need to address that does not seem to have been included in these plans - That is the needs of the wildlife, in particular ducks, geese and other shorebirds, including migratory waterfowl that are protected under the Migratory Bird Act.

Before these plans are finalized we would suggest that you work with Audubon or American Bird Conservancy to insure that final plans include habitat requirements for these animals especially during breeding season. We could also speak with you about this ongoing serious problem.

The necessary habitat for these birds is some sort of wetlands or floating platforms that would provide roosting and nesting opportunities and shelter without which their young cannot survive. In addition, wetlands offer a buffer to flooding.

Currently there is a wall running from Battery Park to Chambers Street with no egress for ducklings to roost and they often perish as a result. This resiliency plan could be a way to mitigate such problems.

For example, floating platforms built to specification have been very successful in Washington, DC, where they have similar issues with walled in river channels.

Sustainability and resiliency is not just human problem and any such plans need to include protections for our ecosystem and its wild inhabitants.

Thank you for the opportunity to provide this feedback.

For more information please go to our Facebook site at BPC Ducklings.

Michelle Ashkin

Esther Regelson

Voices for Urban Wildlife

[bpcducklings@gmail.com](mailto:bpcducklings@gmail.com)

**From:** [Susanne Ring](#)  
**To:** [Filomena, Claudia](#)  
**Cc:** [hello@bpcna.org](mailto:hello@bpcna.org)  
**Subject:** Wagner Park Resiliency Project  
**Date:** Thursday, June 9, 2022 03:34:01 PM

---

Good afternoon,

I am writing to you to voice my opposition to the current design.

I support resiliency projects and believe action is needed to protect parts of lower Manhattan from severe flooding.

I expect our leaders to focus on creating an integrated plan that 1) first focuses on the “pinch” points and most vulnerable areas; 2) maximizes active green spaces; 3) protects trees as much as possible; 4) prioritizes grass over concrete; and 5) prioritizes the community’s needs in all designs and design principles.

Thank you,  
-Susanne Ring



**From:** [Susanne Ring](#)  
**To:** [Filomena, Claudia](#)  
**Cc:** [hello@bpcna.org](mailto:hello@bpcna.org)  
**Subject:** \*IMPORTANT\* Wagner Park  
**Date:** Friday, June 10, 2022 01:24:05 PM

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We support resiliency projects and believe action is needed to protect some of lower Manhattan from severe flooding.

We expect our leaders to focus on creating an integrated plan that maximizes active green spaces, preserves old growth trees and prioritizes the community's needs in all designs and design principles.

Closing this park for this period will result in a significant deterioration in the quality of life for the nearby community.

The various drawings, model and videos do not reconcile with each other. It violates due process to ask for comments and input on renderings that are inconsistent with each other and, therefore, do not provide adequate notice or opportunity for a meaningful understanding and opinion by the public.

-Susanne Ring

From: [Oswaldo Rodriguez](#)  
To: [Filomena, Claudia](#)  
Subject: Wagner Park  
Date: Friday, June 10, 2022 08:41:14 AM

---

Dear Mr. B.J. Jones, President and Chief Executive Officer of BPCA.

I have learned, rather late, about the future closing of Wagner Park under the pretext of renovations and mainly -I imagine- building a protecting wall to prevent flooding.

If that is the case, why do you have to close the whole area? Even if you are going to replace the soil -which I doubt that is the case- or plant new trees and flowering plants there is no need to close that section of Battery Park.

What about replacing the lost linden trees along the esplanade that you haven't done even though several years have passed since Cindy was with us?

I'd like to hear from your office what exactly you want to do in the park; meanwhile -some of us residents- we are going to contact the Office of the Governor to let her know that we are not happy with your proposal of closing

down Wagner Park, as we were not happy with cutting the trees that you happily went along with Cuomo's ideas, some few months ago.

Sincerely yours,

Os Rodriguez

99 Battery Place; NYC.

**From:** [BPC Neighborhood Association](#)  
**To:** [Oswaldo Rodriguez](#)  
**Cc:** [Filomena, Claudia](#)  
**Subject:** Re: Wagner Park  
**Date:** Thursday, June 9, 2022 08:50:00 PM

---

Hi! Please ensure to copy your email and include [claudia.filomena@bpca.ny.gov](mailto:claudia.filomena@bpca.ny.gov) so it gets officially counted in the record. Cc us at [hello@bpca.org](mailto:hello@bpca.org) (the Neighborhood Association) so we can hold them (the Battery Park City Authority) accountable!

Britni Erez  
Sent from my iPhone

On Jun 9, 2022, at 8:47 PM, Oswaldo Rodriguez <[oswaldo.rodrig@gmail.com](mailto:oswaldo.rodrig@gmail.com)> wrote:

Dear Mr. B.J. Jones, President and Chief Executive Officer of BPCA.

I have learned, rather late, about the future closing of Wagner Park under the pretext of renovations and mainly -I imagine- building a protecting wall to prevent flooding.

If that is the case, why do you have to close the whole area? Even if you are going to replace the soil -which I doubt that is the case- or plant new trees and flowering plants there is no need to close that section of Battery Park. What about replacing the lost linden

trees along the esplanade that you haven't done even though several years have passed since Cindy was with us? I'd like to hear from your office what exactly you want to do in the park; meanwhile -some of us residents- we are going to contact the Office of the Governor to let her know that we are not happy with your proposal of closing down Wagner Park, as we were not happy with cutting the trees that you happily went along with Cuomo's ideas, some few months ago.

Sincerely yours,

Os Rodriguez

99 Battery Place; NYC.

**From:** [Madan Sampath](#)  
**To:** [Filomena, Claudia](#)  
**Cc:** [hello@bpcna.org](mailto:hello@bpcna.org)  
**Subject:** Wagner Park Resiliency Project - Concerns  
**Date:** Friday, June 10, 2022 09:00:12 AM

---

Hi Claudia

As a resident, I support resiliency projects and believe action is needed to protect all of lower Manhattan from severe flooding.

But at the same time, I expect our leaders to focus on creating an integrated plan that maximizes active green spaces, preserves old growth trees and prioritizes the community's needs in all designs and design principles. Closing this park for this period will result in a significant deterioration in the quality of life for the nearby community.

The various drawings, model and videos do not reconcile with each other. It's not fair and violates due process to ask for comments and input on renderings that are inconsistent with each other and, therefore, do not provide adequate notice or opportunity for a meaningful understanding and opinion by the public.

Kindly consider residents concerns and costs before moving ahead with such a large project.

Madan Sampath  
200 Rector Place

**From:** [Darby Saxena](#)  
**To:** [Filomena, Claudia](#)  
**Cc:** [hello@bpcna.org](mailto:hello@bpcna.org)  
**Subject:** SPBC Resiliency  
**Date:** Friday, June 10, 2022 12:32:37 PM

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To whom it may concern,

I am reaching out as a long-time resident of Battery Park City and new parent regarding the SBPC resiliency project and plans for Wagner Park. I fully support resiliency projects and believe action is needed to protect all of lower Manhattan from severe flooding.

That said, I'm very disappointed in the current plans for Wagner Park and especially in the rollout and community engagement to date. I expect my leaders to focus on creating an integrated plan that maximizes active green spaces, preserves old growth trees and prioritizes the community's needs in all designs and design principles.

The various drawings, model and videos do not reconcile with each other. However they have one thing in common which is a disruption of active green space. Increasing cumulative green space is very different than increasing meaningful green space which is what we need in this community. Small, disrupted plots are of little utility to families and active individuals who would benefit more from large swaths seen in the current park and in neighboring areas like Rockefeller.

Lastly, while I understand the time commitment necessary for a project of this size, expediency is key when community space is already limited and I urge leaders to find ways to condense the timeline or at minimum ensure deadlines are met with no delays.

I urge you to pause the construction on Wagner Park until there is an opportunity for meaningful engagement with the public for a better understanding of the final plans.

Thank you,  
Darby Saxena  
Resident of 30 West Street

**From:** [Julie Shahroudi](#)  
**To:** [Filomena, Claudia](#)  
**Subject:** Fwd: CB 1 Special Update: South Battery Park City Resiliency Draft Environmental Impact Statement Review  
**Date:** Friday, June 10, 2022 02:03:07 PM

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Hi Claudia,

I'm a homeowner at 380 Rector Place and have two elementary-age children who attend NYC public schools. I'm concerned about the disruption of the construction within the park areas over the next two years without the benefit of increasing green space, or space that benefits children/pedestrians roaming freely. The new plans seem like more concrete and vendor space -- without other benefits. It's unclear to me the benefit of the new plans in terms of water/flooding/storm issues -- but maybe I just don't get it.

At any rate, this construction is a major disruption and should be evaluated carefully. I don't feel good about it.

Thanks,  
Julie

----- Forwarded message -----

**From:** **Manhattan Community Board 1** <[info@mcb1.nyc](mailto:info@mcb1.nyc)>  
**Date:** Fri, Jun 10, 2022 at 1:06 PM  
**Subject:** CB 1 Special Update: South Battery Park City Resiliency Draft Environmental Impact Statement Review  
**To:** <[jlshahroudi@gmail.com](mailto:jlshahroudi@gmail.com)>

[View in browser](#)





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Julie Shahroudi

**From:** [Gregory Sheindlin \(Sheindlin Law Firm\)](#)  
**To:** [Filomena, Claudia](#)  
**Cc:** [BPC Neighborhood Association](#)  
**Subject:** Resiliency Comment by Greg Sheindlin - Reconcile presentations  
**Date:** Thursday, June 9, 2022 08:49:32 PM

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Dear BPCA:

I am writing to comment on the resiliency project. Please include my comments in the record and consider them before finalizing the present phase of your project.

The various drawings, model and videos do not reconcile with each other. They show green space in differing amounts, locations and relationships to each other, and to the concrete features. The all white model at Rector Place adds to the confusion (why not color it green or apply green construction paper where grass exists). The variances also prevent the public from comparing your proposal(s) and renderings to what currently exists. Here are two basic questions that cannot be understood: (1) what sections of the current lawn(s) will be reduced, remain the same or enlarged?; (2) what renderings allow us to visualize your answer to question #1?

Please note, my comments center on green space because it is the hallmark trait of Battery Park City. It's not fair and violates due process to ask for comments and input on renderings that are inconsistent with each other and, therefore, do not provide adequate notice or opportunity for a meaningful understanding and opinion by the public.

It's these moments when you leave the public with a feeling that the Authority is merely checking boxes but not sincerely engaging and considering the public's opinion.

Please contact me to discuss or provide information that clarifies these issues.

Respectfully, Greg Sheindlin

**From:** [Mary Simpson](#)  
**To:** [Filomena, Claudia](#)  
**Subject:** Wagner Park Resiliency Project  
**Date:** Thursday, June 9, 2022 04:25:16 PM

---

Hi Claudia,

Do you have a link to a rendering of the proposed bathrooms in Wagner Park that you could send me? Thank you so much. I haven't found anything so far.

Sincerely,  
Mary Elizabeth Simpson

Sent from my iPad

**From:** [THOMAS SIMPSON](#)  
**To:** [Filomena, Claudia](#)  
**Subject:** Comments on Proposed Wagner Park Redesign  
**Date:** Friday, June 10, 2022 01:19:32 PM  
**Attachments:** [0F86EBD6EE0B4DFB99E99E135F04594F.png](#)  
[08B81A43D38D41DFA293F5017329831F.png](#)  
[5F07A3B1A0AE4F5E83F7DD8AFBC0A012.png](#)

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Dear Ms. Filomena and Wagner Park Design Team,

In response to your request for public comments, below are my main comments about the redesign of Wagner Park as depicted in the videos at [bpca.ny.gov](http://bpca.ny.gov) and the sign boards posted around Wagner Park. For background, I live two blocks from the park and visit it three or four times per week, mainly for strolling or sitting on a bench to take in the gardens and views. I also attend many of the shows and events that are held in the park.

Overall there are quite a few trails, especially through the Garden Meander. I suggest consider whether it's overly complicated and busy in some areas. Most of the people who visit the park stick to the esplanade. It's not like Battery Park where they have to provide plenty of pathways to move large crowds of people through the park. Wagner Park doesn't get those kinds of crowds. I suggest be careful about providing too many opportunities for children to go out-of-sight of their guardians and for lurkers to be lurking.

Regarding the proposed design of the benches:

- Flat benches at the event terrace are OK, since the terrace no doubt will also be used by children for running and jumping and flat is fine for that, although I'm a little worried it will also attract the skateboard crowd. I would note however that a flat bench is not comfortable for sitting. For example, the flat benches recently installed at Pier 26 at Hudson River Park and at Pier 17 at South Street Seaport are uncomfortable.
- Aside from the event terrace, I like rounded benches for the rest of the areas, like the wood & steel benches in Battery Park, which are close to perfection. Below are some other examples of benches that are comfortable, such as the NYC standard issue wood and steel park bench or the wooden benches currently installed in the two side gardens at Wagner Park. I suggest use a more traditional non-flat shape for the benches lining the lawn in front of the Pavilion. Also consider whether the benches along the Garden Meander video from min. 0.00 to 1.10 can be rounded for comfort. Consider adding more backs to the benches so one can lean back, except be careful not to add backs in the Event Terrace or other places where a bench back could obstruct a prime open view. On that point, check out how the planners have designed some of the benches within Battery Park having seat backs, and others without seat backs.
- For the benches lining the park side of the esplanade from the Jewish Heritage Museum to the Event Terrace (see Esplanade Jog video), consider doing something in stone, e.g. you could match the beautiful granite benches along the Battery Park esplanade. You can ask Warrie Price at the Battery Conservancy for more information on those benches.



Regarding the design of the esplanade along the water:

- From what I see on the Esplanade Jog video, it looks like you are keeping the current dimensions and width of the esplanade, which is great because it needs to accommodate lots and lots of pedestrians, exercisers and bicyclists, and occasionally a stage. The wider the better.

- The walkway along the Pier A inlet is too narrow, especially at the turn where the Pier A inlet enters the harbor. This is currently a congestion point because runners, skaters and bikers come flying through there and make walkers jump out of the way. There needs to be space for a turning radius where the pathway turns, but it looks like you are proposing to keep the same dimensions as the current design, which doesn't provide the needed space. You are also adding foot traffic right there to the viewing pier planned for the Pier A inlet.
- The last bench at the turn juts out into the pedestrian path (see Esplanade Jog video at min. 1:15). That's going to be a hazard for runners and bikes, and not desirable for sitting due to the traffic at that corner. Can you either eliminate that bench or move it back, further away from the water?
- The signboard that shows a panoramic view of the event terrace and the pavilion seems to indicate that the bench at the bottom of the event terrace protrudes into the existing open space on the esplanade directly in front of the event terrace. The existing roomy dimensions of that open space should be preserved, either by eliminating that last bench, or extending the bulkhead out into the harbor. You will need all of that space for staging the shows, and it's also great for accommodating all the traffic at that spot along the esplanade.

Regarding the Pavilion:

- **VERY IMPORTANT:** Please don't make the new restrooms smaller and more cramped than the current roomy restrooms, which are the best public restrooms in lower Manhattan. My suggestion is to essentially duplicate the current design. The only small issue I have with the current design is that the space between the urinals and the sinks should be wider. The new public restrooms at Brookfield Place are a disgrace, cramped and stuffy with inadequate ventilation. The three bathrooms in Battery Park are all too small and don't meet the capacity requirements, resulting in queues during peak days. I've heard that some planners deliberately try to make restrooms uninviting to discourage malingerers, but that is just silly and ineffectual at achieving the aim. Please don't repeat other planners' mistakes.
- The viewing area at the top of the pavilion should be shaded. Try standing on the view deck of the current pavilion on a hot summer day and you'll see what I mean – it gets very hot up there. I'm sure you could design a beautiful open shade structure that complements the design of the pavilion.
- The design of the pavilion looks nice and the tall arches on the back side facing the water are beautiful, but please consider salvaging and reusing the front side of the current structure facing towards the city with its tumbling down granite and brick staircase structure, which a lot of people enjoy including exercisers, parkours-ists and especially children. That way we'll preserve a remnant of the current pavilion, which some people, myself included, consider to be an architectural treasure.

Regarding some of the features along the Garden Meander video:

At 1:17 min. into the video, there is a small sitting area with benches arranged in a cramped little circle. By having benches arranged in a circle you will attract groups of people that will be eating and talking there. I suggest make it bigger and more open, so that there's more space between people who want to walk through and those sitting on the benches.

- There is an isolated little sitting nook at min. 0:40 of the Garden Meander video, along the side of the Jewish Museum. Please check to make sure it won't be too isolated and attract undesirables. As someone who regularly walks around at night and during the off-season when not too many people are using Wagner and Battery Parks, I can tell you that we often get dodgy people hanging out in the nooks and crannies of the parks in this part of town. It's better to keep spaces open and non-isolated.
- As mentioned earlier, I don't like the comfort factor for the flat bench design that is used all along the Garden Meander.
- The three existing mature golden rain trees on the lawn area west of the pavilion near the restrooms are spectacular, my favorite trees in Wagner Park. Is there any way you can dig them up and replant them in the new park?
- Have you thought about where you will put garbage cans and drinking fountains? The design should take that into account, it shouldn't be an afterthought.

Thank you for your consideration of my comments and good job on the new designs for Wagner Park.

Regards,  
Tom Simpson  
21 West St Apt 30A  
New York, NY 10006  
M: (914) 413-1786

**From:** [sabrina simoes](#)  
**To:** [Filomena, Claudia](#)  
**Cc:** [hello@bpcna.org](mailto:hello@bpcna.org)  
**Subject:** Wagner Park  
**Date:** Thursday, June 9, 2022 03:45:11 PM

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Dear Claudia Filomena,

We support resiliency projects and believe action is needed to protect all of lower Manhattan from severe flooding.

We expect our leaders to focus on creating an integrated plan that

- 1) first focuses on the “pinch” points and most vulnerable areas;
- 2) maximizes active green spaces;
- 3) protects trees as much as possible;
- 4) prioritizes grass over concrete; and
- 5) prioritizes the community’s needs in all designs and design principles.

Sincerely,  
Sabrina Spassov



**From:** [Lauren Stanton](#)  
**To:** [Filomena, Claudia](#)  
**Cc:** [hello@bpcna.org](mailto:hello@bpcna.org)  
**Subject:** Save the Green in Wagner Park  
**Date:** Saturday, June 11, 2022 09:52:00 PM

---

Hello,

We support resiliency projects and believe action is needed to protect all of lower Manhattan from severe flooding.

We expect our leaders to focus on creating an integrated plan that maximizes active green spaces, preserves old growth trees and prioritizes the community's needs in all designs and design principles.

Closing this park for this period will result in a significant deterioration in the quality of life for the nearby community.

The various drawings, model and videos do not reconcile with each other. It violates due process to ask for comments and input on renderings that are inconsistent with each other and, therefore, do not provide adequate notice or opportunity for a meaningful understanding and opinion by the public.

Thank you,  
Lauren

[Battery Park City resident,  
380 Rector place]

**From:** [Stephanie Stein](#)  
**To:** [Filomena, Claudia](#); [hello@bpcna.org](mailto:hello@bpcna.org)  
**Subject:** Wagner Park resiliency  
**Date:** Saturday, June 11, 2022 11:16:00 AM

---

Dear all,

We support resiliency projects and believe action is needed to protect all of lower Manhattan from severe flooding.

We expect our leaders to focus on creating an integrated plan that maximizes active green spaces, preserves old growth trees and prioritizes the community's needs in all designs and design principles.

Closing this park for this period will result in a significant deterioration in the quality of life for the nearby community.

The various drawings, model and videos do not reconcile with each other. It violates due process to ask for comments and input on renderings that are inconsistent with each other and, therefore, do not provide adequate notice or opportunity for a meaningful understanding and opinion by the public.

Sincerely,  
Stephanie Stein - BPC resident

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**From:** [Atoussa Stone](#)  
**To:** [Filomena, Claudia](#)  
**Cc:** [hello@bpcna.org](mailto:hello@bpcna.org)  
**Subject:** Wagner Park  
**Date:** Sunday, June 12, 2022 06:35:59 PM

---

Dear Claudia Filomena,

My family and I support resiliency projects and believe action is needed to protect all of lower Manhattan from severe flooding. We expect our leaders to focus on creating an integrated plan that maximizes active green spaces, preserves old growth trees and prioritizes the community's needs in all designs and design principles. Closing this park for this period will result in a significant deterioration in the quality of life for the nearby community. The various drawings, model and videos do not reconcile with each other. It violates due process to ask for comments and input on renderings that are inconsistent with each other and, therefore, do not provide adequate notice or opportunity for a meaningful understanding and opinion by the public.

Best,  
Atoussa Stone  
Local resident

**From:** [Edgar Tejada](#)  
**To:** [Filomena, Claudia](#); [hello@bpcna.org](mailto:hello@bpcna.org)  
**Subject:** Save the park  
**Date:** Sunday, June 12, 2022 12:21:35 AM

---

Hello

Battery park needs green spaces no commercial style ones.

**From:** [Rebecca Thomas](#)  
**To:** [Filomena, Claudia](#)  
**Cc:** [hello@bpcna.org](mailto:hello@bpcna.org)  
**Subject:** Closure of Wagner Park  
**Date:** Friday, June 10, 2022 07:43:08 AM

---

Dear Claudia,

My family strongly supports resiliency projects and believes action is needed to protect all of lower Manhattan from severe flooding and other impacts of climate change.

We believe that our community can show leadership on this issue by creating a plan that maximizes active green spaces, preserves old growth trees and prioritizes the community's needs in all designs and design principles. The current plans sacrifice too much green space in favor of concrete and commercial space.

We request that BPA pause the closure of Wagner Park to provide meaningful opportunities for our community to understand the goals for this project and share our input on the design and plans.

Thank you,  
Rebecca Thomas and Andy Jaquith

**From:** [Bianca Thompson](#)  
**To:** [Filomena, Claudia](#)  
**Cc:** [hello@bpcna.org](mailto:hello@bpcna.org)  
**Subject:** Stop Wagner Rennovation  
**Date:** Friday, June 10, 2022 09:00:42 AM

---

We support resiliency projects and believe action is needed to protect all of lower Manhattan from severe flooding.

We expect our leaders to focus on creating an integrated plan that maximizes active green spaces, preserves old growth trees and prioritizes the community's needs in all designs and design principles.

Closing this park for this period will result in a significant deterioration in the quality of life for the nearby community.

The various drawings, model and videos do not reconcile with each other. It's not fair and violates due process to ask for comments and input on renderings that are inconsistent with each other and, therefore, do not provide adequate notice or opportunity for a meaningful understanding and opinion by the public.

**From:** [Jake Thompson](#)  
**To:** [Filomena, Claudia](#)  
**Subject:** Park  
**Date:** Friday, June 10, 2022 12:06:20 PM

---

We support resiliency projects and believe action is needed to protect all of lower Manhattan from severe flooding.

We expect our leaders to focus on creating an integrated plan that maximizes active green spaces, preserves old growth trees and prioritizes the community's needs in all designs and design principles.

Closing this park for this period will result in a significant deterioration in the quality of life for the nearby community.

The various drawings, model and videos do not reconcile with each other. It's not fair and violates due process to ask for comments and input on renderings that are inconsistent with each other and, therefore, do not provide adequate notice or opportunity for a meaningful understanding and opinion by the public.

Sent from my iPhone

**From:** [jim.thompson](mailto:jim.thompson)  
**To:** [Filomena, Claudia](#)  
**Cc:** [hello@bpcna.org](mailto:hello@bpcna.org)  
**Subject:** Asking for a pause on Wagner Park Redesign  
**Date:** Thursday, June 9, 2022 05:36:09 PM

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Hello,

I have been a resident of Battery Park for 17 years and Wagner Park feels like a part of our family. We are very concerned with the new plans to redo something that is so beloved in the neighborhood.

While our family supports resiliency, we think it's very important that those very important goals work in tandem with the needs of downtown: more green space not less. I have seen various renders and slides but none seem to jibe with each other.

I have read that things like more food/beverage space and more indoor community space were factors as well as environmental concerns - and frankly, I don't know anyone down here who would trade a sq inch of our much used and beloved green space for some business to make more money selling food/beverages or indoor community space, which while valuable, could be solved for in another way.

My neighbors and friends are all very concerned that this project is pushing forward without enough input from the community and the community's needs have not been weighed equally with the worthy goal of resiliency, and other goals.

We call for a pause on this project until the community is given more input.

We will be contacting all local representatives and the governor as well.

I know there have been some meetings but honestly, no one I know was aware of them and I have contacts that sit on many community boards and other activities.

This plan should not proceed with a vast majority of the neighborhood against it.

We hope the voices of the neighborhood will be heard.

Thank you very much,  
Jim



**From:** [Rita Thompson](#)  
**To:** [Filomena, Claudia](#)  
**Cc:** [hello@bpcna.org](mailto:hello@bpcna.org)  
**Subject:** OPPOSE Wagner Park's Current Resiliency Project  
**Date:** Friday, June 10, 2022 10:31:16 AM

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Wagner Park is the reason my husband and I decided to raise our two children in Battery Park City.

17 years ago we toured the neighborhood and came across BPC's Preschool Play set up in Wagner Park. Toddlers and preschoolers were learning to run and play with each other on giant soft toys with grass between their toes. We loved the idea of living in the city and not having to sacrifice a yard for the kids. So much so, we moved into the apartment building closet to Wagner, where we still live today.

Over the years, the lawns of Wagner have been the place of my daughter's first steps, birthday parties, graduation celebrations, potato sack and egg spoon races, badminton matches, Swedish midsummers and regular picnics with our neighborhood family friends. I am certain that we are far from the only family that treasures this park.

Wagner Park is what makes Battery Park City so magical and as the redesign project stands now, there would no longer be a space for this life.

I support resiliency projects and believe action is needed to protect all of lower Manhattan from severe flooding, but please do so with preserving our neighborhood's beloved green space.

Thank you in advance for reconsidering the project as it stands now.

Rita Thompson

**From:** [Allison Turkel](#)  
**To:** [Filomena, Claudia](#)  
**Cc:** [hello@bpcna.org](mailto:hello@bpcna.org)  
**Subject:** Wagner Park designs  
**Date:** Monday, June 6, 2022 04:55:19 PM

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Hello Claudia,

I hope you are well! I am writing to share that I am a long time resident of Battery Park (since 2015) and I am deeply upset by the Wagner Park redesigns. Not only will we lose our park for 2 years (a space that my husband and 3 kids love), we will also lose a LOT of necessary green space. I joined the resilience walks while on maternity leave and I expressed that many people live here because of the green space. It's part of what makes BPC so special. The current proposal removes green space. It's terrible to lose green space, and really insulting to ask residents to join for walks, ask for feedback back and completely ignore it. What can be done to add back more green space?

Thank you,  
Allison Turkel

**From:** [Mary Williamson](#)  
**To:** [Filomena, Claudia](#)  
**Cc:** [hello@bpcna.org](mailto:hello@bpcna.org)  
**Subject:** Please do no NOT remove the green lawn from Wagner Park!  
**Date:** Thursday, June 9, 2022 08:35:15 AM

---

Even for resiliency projects, please never remove lawns or trees. The Wagner Park resiliency project needs to be re-thought.

I have signed this petition:  
<https://chnng.it/ndTRbVNHtD>

I like in BPC and I am concerned to see this proposal!!

# Support for BPCA Public hearing 5/19/22

Carol A. Willis <caw3@columbia.edu>

Mon 5/23/2022 12:39 PM

To: Filomena, Claudia <claudia.filomena@bpca.ny.gov>;

Cc: Ehrlich, Abby <abigail.ehrlich@bpca.ny.gov>; Carol A. Willis <caw3@columbia.edu>;

To:

Claudia Filomena, Director of Capital Projects

Battery Park City Authority

200 Liberty Street, 24th Floor New York, NY 10281

Dear Claudia:

I'm Carol Willis, the President and Director of The Skyscraper Museum. located at 39 Battery Pl., across from Wagner Park. I'm writing in support of the BPCA plans for the South Battery Park City Resiliency Project.

For the past several years, I have followed the Resiliency Project's evolving plans and public engagement process. I listened to the Zoom hearing on 5/19 and have reviewed the most recent Draft EIS. It is clear that climate change and sea-level rise threaten flooding of South Battery Park City and there is no choice but to act, and quickly. The current plans described in the Draft EIS are carefully considered and should move forward.

The Skyscraper Museum looks forward to the day that the work will be completed and a new Wagner Park will be enjoyed by all.

Sincerely,  
Carol Willis

--Carol Willis  
Director  
The Skyscraper Museum  
39 Battery Pl.  
New York, NY 10280

**From:** [Philip Yang](#)  
**To:** [Filomena, Claudia](#)  
**Cc:** [hello@bpcna.org](mailto:hello@bpcna.org)  
**Subject:** Wagner Park -  
**Date:** Friday, June 10, 2022 01:12:28 PM

---

Hi Claudia,

I am writing you to express my support for the resiliency projects that are planned for Wagner Park, **however**, I expect our leaders at the BPCA to:

- maximize the active green space utilized by all NYC residents
- preserve old growth trees and prioritize the community's needs in all designs and design principles.

Based on what I've heard, I do not believe the current plans take any of this into account. I, therefore, ask that we pause the commencement of the work until both federal funding, which I don't believe were sought, and thoughtful re-consideration of the design, which takes into account the NYC communities needs, has been conducted.

thank you,

--

Phil

**From:** [Tom Yang](#)  
**To:** [Filomena, Claudia](#)  
**Cc:** [hello@bpcna.org](mailto:hello@bpcna.org)  
**Subject:** Opinion on South Battery Park Resiliency Project: from a concerned Battery Park City resident  
**Date:** Friday, June 10, 2022 01:34:31 PM

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Hi,

Hope all is well.

As a 10yr+ BPC resident, I am writing to express our strong opposition against the Wagner Park Resiliency project.

1. **Unpopular.** This project has been insufficiently communicated to the BPC community. We were only aware of it a couple of weeks ago, when board signs appeared overnight, all over the place around the park. Wagner Park is the prime green space for our neighborhood, extremely popular among both residents and tourists. It is utilized heavily all year round, as everyone can tell. The idea of razing it down for two years in exchange for more commercial space is hugely unpopular among our neighbors.
2. **Untimely.** Right now in the middle of an ongoing pandemic and economic downturn, much more urgent projects should be on BPCA's TODO list. To name a few: adding security patrols and presence, helping existing local businesses survive through inflation and possible recession, as well as providing more kid-friendly services. Splurging 200+ million into a well-functioning park is nonsensical and out-of-touch. Can we wait until the economy is back booming?
3. **Unscientific.** The illustrations on those blue lamp poles about future water levels are dubious and misleading. There ARE indeed scientific studies suggesting that much of lower Manhattan could be underwater by 2100, or sooner. Shall we prepare for evacuations? Everybody agrees on climate change and rising sea levels, but to what extent it shall justify such landscape transformation is at least highly debatable. I have been through hurricane Sandy and the earlier more hyped hurricane Irene, right here, both examples of the "extreme" impacts over the past 12 years, which shows the unscientific nature of such fear mongering.

Please reconsider and pause this project. It really sucks.

Thanks

Andy H

**From:** [Lim Yuen](#)  
**To:** [Filomena, Claudia](#)  
**Cc:** [hello@bpcna.org](mailto:hello@bpcna.org)  
**Subject:** Stop the Wagner Park project  
**Date:** Friday, June 10, 2022 12:15:45 PM

---

Hi Claudia,

As a Battery Park resident, my family and I fully support resiliency projects and believe action is needed to protect all of lower Manhattan from severe flooding.

We expect our leaders to focus on creating an integrated plan that maximizes active green spaces, preserves old growth trees, and prioritizes the community's needs in all designs and design principles.

Unfortunately, the various drawings, models, and videos of the proposed Wagner Park project do not reconcile with each other. It's unreasonable and violates due process to ask for comments and input on renderings that are inconsistent with each other, and therefore do not provide adequate notice or opportunity for a meaningful understanding and opinion by the public.

Closing this park for this period will result in a significant deterioration in the quality of life for the nearby community. Please do not proceed with the Wagner Park changes until a suitable design has been reviewed and approved by the community (BPNA in particular).

Best,  
Lim Yuen

**From:** [Sara Yun](#)  
**To:** [Filomena, Claudia](#)  
**Cc:** [hello@bpcna.org](mailto:hello@bpcna.org)  
**Subject:** Stop the Wagner Park project  
**Date:** Friday, June 10, 2022 12:16:55 PM

---

Hi Claudia,

As a Battery Park resident, my family and I fully support resiliency projects and believe action is needed to protect all of lower Manhattan from severe flooding.

We expect our leaders to focus on creating an integrated plan that maximizes active green spaces, preserves old growth trees, and prioritizes the community's needs in all designs and design principles.

Unfortunately, the various drawings, models, and videos of the proposed Wagner Park project do not reconcile with each other. It's unreasonable and violates due process to ask for comments and input on renderings that are inconsistent with each other, and therefore do not provide adequate notice or opportunity for a meaningful understanding and opinion by the public.

Closing this park for this period will result in a significant deterioration in the quality of life for the nearby community. Please do not proceed with the Wagner Park changes until a suitable design has been reviewed and approved by the community (BPNA in particular).

Best,  
Sara Yun



## **A.5.4 Agency Comments on SBCR Draft Environmental Impact Statement (DEIS)**



Rohit T. Aggarwala  
*Commissioner*

Angela Licata  
*Deputy Commissioner  
Sustainability*

59-17 Junction Blvd.  
Flushing, NY 11373

Tel. (718) 595-4398  
alicata@dep.nyc.gov

May 6, 2022

Mr. Timothy L. Gallagher, Esq.  
Mayor's Office of Environmental Coordination  
100 Gold Street, 2<sup>nd</sup> Floor  
New York, NY 10038

Re: South Battery Park City Resiliency Project  
CEQR # 21BPC001M

Dear Tim:

The New York City Department of Environmental Protection, Bureau of Environmental Planning and Analysis (DEP) has reviewed the air quality, greenhouse gas, noise and construction chapters of the South Battery Park City Resiliency Draft Environmental Impact Statement (DEIS) dated February 1, 2022 as well as supplemental files prepared by AECOM, on behalf of the Battery Park City Authority (BPCA) for the above referenced project. It is our understanding that BPCA proposes to provide flood risk reduction within the project area for current 100-year flood, inclusive of increased intensity and frequency of rainfall, coastal surge, and predicted sea level rise. This project is intended to tie-in with two other projects including the Battery Park City Ball Fields and Community Center Resiliency Project and the North/West BPC Resiliency Project. Flood protection will include multiple integrated features including flip-up deployable gates, glass-topped floodwalls, buried floodwalls underneath terraced slopes, exposed floodwalls and bermed floodwalls. Along with flood protection, the proposed project proposes to replace the existing structure and construct a Pavilion at Wagner Park (the "Proposed Project"). The Proposed Project is located in the Battery Park City neighborhood of Lower Manhattan.

Per OEC request (21BPC001M-08-07022022160238) we have reviewed the mentioned above documents and our office has the following comments:

### **General**

1. Please correct the page number for the construction air quality chapter in the table of contents (TOC). It is listed as being found on page 3.15-19, but it begins on page 3.15-20. However, the TOC links to the correct page.
2. Please correct the page number for the construction noise section in the table of contents (TOC). It is listed as being found on page 3.15-30, but when it begins on page 3.15-31. However, the TOC links to the correct page.

### **Air Quality:**

3. Please perform the HVAC screening for the new enclosed Wagner Park Pavilion, and provide backup materials. They should include the CEQR Technical Manual HVAC screening figure and a figure showing the closest building of similar or greater height relative to the new pavilion.

### **Noise:**

4. Please provide electronic noise measurement data log, calibrator and noise equipment calibration certificates, field notes, spot traffic data counts and all other back-up files for the five monitored sites. Also, please provide photographs of monitoring equipment set up at the sites.
5. Pages 3.14-1 and 3.15-40 state that noise measurements were conducted for one-hour. However, noise level measurement durations listed in Table 3.15-14 range from 20 to 30 minutes. Please clarify this discrepancy.
6. Please state the date when the baseline noise measurements were conducted within the noise chapter.
7. Figure 3.14-1 does not depict the correct measurement location for Receptor 1. It should be located in the middle of the southern façade as detailed within the Response to NYCDEP comments on Air/Noise Construction Protocol document, dated 3/3/2021.

### **Construction (General):**

8. The list of equipment provided in Table 3.15-1 is different from the equipment analyzed for construction-related air quality and noise impacts. Please clarify this discrepancy and remove any equipment not needed to construct the project from Table 3.15-1.
9. It is stated on page 3.15-3 that the construction is completed by July 2024. However, Figure 3.15-1 shows the construction ends by May 2024. Please clarify this discrepancy.

### **Construction-Related Air Quality:**

10. In addition to modeling the elevated receptors on residential buildings, please include receptors on sidewalks adjacent to construction sites if the area would remain publicly accessible during construction.
11. Please revise the air quality analysis for NO<sub>2</sub> as follows:
  - a) The reasoning for excluding 1-hour NO<sub>2</sub> from the analysis is inadequate (i.e., the construction duration is less than the 3-year averaging period of the NAAQS). Please provide more explanation or evaluate 1-hour NO<sub>2</sub> and provide backup files.

- b) Please include a discussion on NO<sub>2</sub> modeling methodology, including the use of ARM2, and results in the Construction Air Quality Chapter.

12. Regarding BAT:

- a) Please state whether Local Law 77 requirements have been applied to the analysis.
- b) Please explain within the chapter how Tier 4 engines and DPFs are incorporated within emission calculations.

13. As per Comment No. 3 on the AQ Modeling protocol document, screening thresholds are based on actual truck trips, not PCEs. Please revise the text accordingly, as per the response to the comment.

14. Per response to comment 7 of the AQ modeling protocol, consultant agreed to conduct detailed modeling around the interceptor gates/control houses. Please provide the results and backup materials for this modeling.

15. Please identify which AERMOD output files represent the annual PM<sub>2.5</sub> results for year 1 and year 2 of the construction.

**Construction-Related Noise/Vibration:**

16. Please note that CEQR does not provide a vibration threshold. Revise the ‘Noise and Vibration’ section on page ES-23 and page 3.15-35, to state in the absence of a CEQR vibration criteria, all historic structures within the study area were assessed based on the New York City Department of Buildings Technical Policy and Procedures Notice (TPPN) # 10/88 and all others using the Federal Transit Administration’s Transit Noise and Vibration Impact Assment Manual (September 2018).

20. Please revise mobile-source noise text to state that construction-related traffic will not double the noise PCEs.

17. Please assess the noise levels due to impact equipment and disclose magnitude of noise impact, duration of noise impact and area of noise impact. Then discuss why these construction-related noise impacts will not be significant.

18. On page 3.15-32, please remove reference to ‘New York State Department of Transportation’s Engineering Instruction (EI) 05-044’.

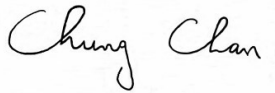
19. Please explain why a new construction-related noise impact threshold of 65 dBA is being used. This threshold differs from the impact threshold of 3-5 dBA presented in the construction noise protocol. (‘Response to NYCDEP comments on Air Noise Protocol March 2 2021.docx’).

20. Please provide all electronic noise and vibration calculation analyses/spreadsheets and all supportive files.

21. It appears all supportive noise tables and figures in Appendix F are mislabeled.
22. Please present construction-related noise impact in a concise manner to disclose magnitude of noise impact, duration of noise impact and area of noise impacts for each phase assessed. This discussion should be in the executive summary and construction noise and vibration sections.

If you have any questions, you may contact me at chungc2@dep.nyc.gov.

Sincerely,

A handwritten signature in black ink that reads "Chung Chan". The signature is written in a cursive, flowing style.

Chung Chan, Director  
Air Quality and Noise Review and Planning



June 24, 2022

Mr. Timothy L. Gallagher, Esq.  
Mayor's Office of Environmental Coordination  
100 Gold Street, 2<sup>nd</sup> Floor  
New York, NY 10038

**Re: South Battery Park City Resiliency Project  
CEQR # 21BPC001M**

**Rohit T. Aggarwala**  
*Commissioner*

**Angela Licata**  
*Deputy Commissioner  
Sustainability*

59-17 Junction Blvd.  
Flushing, NY 11373

Tel. (718) 595-4398  
Fax (718) 595-4422  
alicata@dep.nyc.gov

Dear Tim:

The New York City Department of Environmental Protection, Bureau of Environmental Planning and Analysis (DEP) has reviewed the air quality, greenhouse gas, noise and construction chapters of the South Battery Park City Resiliency Draft Environmental Impact Statement (DEIS) dated June 14, 2022 as well as supplemental files prepared by AECOM, on behalf of the Battery Park City Authority (BPCA) for the above referenced project. It is our understanding that BPCA proposes to provide flood risk reduction within the project area for current 100-year flood, inclusive of increased intensity and frequency of rainfall, coastal surge, and predicted sea level rise. This project is intended to tie-in with two other projects including the Battery Park City Ball Fields and Community Center Resiliency Project and the North/West BPC Resiliency Project. Flood protection will include multiple integrated features including flip-up deployable gates, glass-topped floodwalls, buried floodwalls underneath terraced slopes, exposed floodwalls and bermed floodwalls. Along with flood protection, the proposed project proposes to replace the existing structure and construct a Pavilion at Wagner Park (the "Proposed Project"). The Proposed Project is located in the Battery Park City neighborhood of Lower Manhattan.

Per OEC request we have reviewed the mentioned above documents and the following comments were discussed with the consultant on the 6/23/22 call:

**Air Quality:**

1. Please remove 'sensitive' in the sentence beginning on page 3.12-2. The sentence should state: 'Since this screening distance is less than the 110-foot distance between the new Pavilion and the closest building, potential HVAC air impacts would not be significant, and no further analysis is warranted (see Figure 3.12-2).

**Noise:**

2. Please correct noise levels listed in Table 3.14-1 and Table 3.15-14 for

representative receptors 1 and 2. Noise levels do not correlate with the electronic noise meter data submitted. Similarly, the text describing the noise level ranges need to be corrected on page 3.14-1 and anywhere else in the document existing noise levels are referred to.

3. Noise measurements for representative receptors 4 and 5 were conducted on February 25, 2021. Based on meteorological data reported at LaGuardia Airport, the wind speeds during morning, midday and afternoon monitoring periods on February 25, 2021, were greater than 12 mph, (reported 13 mph to 25 mph) exceeding the wind speed recommended for noise measurements as detailed within Section 331.2 of the CEQR Technical Manual.

The consultant explained that the wind speeds listed in the field notes were based on weather forecast. This issue is noted and we will decide if any revision is needed after all other comments were addressed.

**Construction (General):**

4. The consultant's response to DEP's May 6, 2022 comment # 8 states that Table 3.15-1 will be updated to remove any equipment not necessary to construct the project. The consultant agreed to confirm and revise the table accordingly.

**Construction-Related Air Quality:**

5. Please revise the text to clarify that 1-hour NO<sub>2</sub> has been excluded from the construction-related air quality analysis for the following reasons:
  - a) PM<sub>2.5</sub> is the critical pollutant based on emissions profiles developed, which shows that the 1-hour NO<sub>2</sub> impact would be proportionally less, and
  - b) 1-hour NO<sub>2</sub> is based on a 3-year averaging period, however, the construction duration is less than two years.
6. Please either remove annual NO<sub>2</sub> results from the document (justified by comment 5 above) or include the annual NO<sub>2</sub> modeling methodology within the text, including the use of ARM2.
7. The emissions for construction equipment were based on Tier 4 engine emission standards for new equipment. The consultant will check to determine if applying the credits for Tier 4 engines are necessary. If they are, the consultant will account for increase in emissions due to deterioration of efficiency based on the age of the equipment.
8. Please include a description of typical construction means for flip-up deployable gates to explain why this project element does not have to be

included in the AQ modeling analysis.

**Construction-Related Noise/Vibration:**


9. Applying an overall 10 dBA noise reduction to account for unspecified general attenuation measured is not acceptable without proper documentation. The analysis should identify the major contributor of noise and specify reasonable attenuation measures and apply their typical attenuation values to the analysis.
10. Please correct Table 3.15-15. Receptor ID 6 (36 Battery Place) is a museum, not residential.
11. Please provide qualitative discussion on the potential noise impacts on PS 276 and Battery Park City School, i.e. compare to quantified impacts at closer receptors.
12. On Page 3.15-33, please remove the following sentence: ‘Finally, all of the nearby receptors include interior land uses resulting in lower indoor noise levels due to the building and window transmission losses.’ Currently, all the assessment is based on the incremental increase in noise levels on the exterior of the buildings.
13. On page 3.15-44, there is mention of construction being performed ‘outside specified local noise ordinance work hours.’ A statement that if construction is performed outside typical construction hours, the noise levels from the construction activities will be comparable to those predicted for daytime noise levels.
14. Please explain how distances were obtained for both construction-related noise and vibration assessments. For receptor 6 (36 Battery Place) where construction activities are expected to be very close to the building itself, the assessment should use a realistic distance, and discuss that there is no window or windows are not opened during normal operation of the facility.
15. On page 3.15-33, please delete the text: ‘methodology and approach’ was ‘presented to and approved by BEPA.’
16. Based on the results presented in the June 2022 version of the document, please remove the word ‘vibration’ and ‘noise exceedances’ on page 3.15-32. The sentence should state: ‘Although temporary elevated noise levels are predicted at these two sites, they would not persist due to the widespread use of BMPs and the temporary or sporadic duration of impact devices such as pile drivers and hoe rams.’



17. Page 3.15-37 details that cosmetic damage for non-historic buildings would be assessed using a limit of 2.0 in/sec. FTA's construction-related vibration damage criteria depends on the building category. Please remove any reference in the chapter and supportive files that lists a vibration limit of 2.0 in/sec.
18. Page 3.15-50 incorrectly states that TPPN #10/88 limits vibration for historic structures to 2.0 in/sec. The maximum permissible peak particle velocity (PPV) listed in TPPN #10/88 for historic structures is 0.5 in/sec.

If you have any questions, you may contact me at [chungc2@dep.nyc.gov](mailto:chungc2@dep.nyc.gov).

Sincerely,

A handwritten signature in black ink that reads "Chung Chan". The signature is written in a cursive, flowing style.

Chung Chan,  
Director  
Air Quality and Noise Review and Planning



August 11, 2022

Mr. Timothy L. Gallagher, Esq.  
Mayor's Office of Environmental Coordination  
100 Gold Street, 2<sup>nd</sup> Floor  
New York, NY 10038

**Rohit T. Aggarwala**  
*Commissioner*

**Re: South Battery Park City Resiliency Project  
CEQR # 21BPC001M**

**Angela Licata**  
*Deputy Commissioner  
Sustainability*

59-17 Junction Blvd.  
Flushing, NY 11373

Tel. (718) 595-4398  
Fax (718) 595-4422  
alicata@dep.nyc.gov

Dear Tim:

The New York City Department of Environmental Protection, Bureau of Environmental Planning and Analysis (DEP) has reviewed the Response to Comments document and air quality, noise and construction chapters of the South Battery Park City Resiliency Draft Environmental Impact Statement (DEIS) dated July 15, 2022 as well as supplemental files prepared by AECOM, on behalf of the Battery Park City Authority (BPCA) for the above referenced project. It is our understanding that BPCA proposes to provide flood risk reduction within the project area for current 100-year flood, inclusive of increased intensity and frequency of rainfall, coastal surge, and predicted sea level rise. This project is intended to tie-in with two other projects including the Battery Park City Ball Fields and Community Center Resiliency Project and the North/West BPC Resiliency Project. Flood protection will include multiple integrated features including flip-up deployable gates, glass-topped floodwalls, buried floodwalls underneath terraced slopes, exposed floodwalls and bermed floodwalls. Along with flood protection, the proposed project proposes to replace the existing structure and construct a Pavilion at Wagner Park (the "Proposed Project"). The Proposed Project is located in the Battery Park City neighborhood of Lower Manhattan.

Per OEC request we have reviewed the mentioned above documents and our office has the following comments:

**Construction (General):**

1. Please change the 'Note' below Table 3.15-1 to reflect the table now refers to the number of equipment quantities assumed during each construction phase.

**Construction-Related Air Quality:**


2. Within the Model Results section (second paragraph), the CEQR PM<sub>2.5</sub> de minimis criteria was corrected to screening threshold. Please ensure that this is changed throughout the entire document, i.e. the first paragraph still states that impacts were determined by comparing predicted increments to construction de minimis criteria.
3. Please state within the Construction Air Quality and Construction Air Quality Executive Summary sections of the document that the proposed project will either require to follow Local Law 77 or commit to follow Local Law 77.

**Construction-Related Noise/Vibration:**

4. Please note that noise measurements should not be conducted during high winds condition (>12 mph). However, in review of the predicted construction-related noise levels, it is unlikely that the higher measured noise levels would change the overall conclusion. Therefore, DEP will not request that the ambient noise levels be re-measured.
5. Similar to comment 2, Table 3.15-1 (Anticipated Construction Equipment) was revised, but the text was not revised to reflect the change. For example, clam shovels were removed from Table 3.15-1, however it is still mentioned within the *Principal Conclusions and Impact* section and under *Noise* heading on page 3.15-50. Please ensure that the change is addressed throughout the entire document.
6. As requested in DEP's June 23, 2022 comment letter, please correct noise level ranges for all receptors in Table 3.15-15 that are represented by measurement location 2, and the discussion of the analysis results for each receptor represented by measurement location 2.
7. The paragraph added on page 3.15-50 states that PS 276 (Battery Park City School) is located between Sites 1, 8 and 9 along Battery Place and would experience construction-related noise levels ranging between 60 to 72 dBA, with resultant increases in noise levels from 1 to 9 dBA. Please explain how the range and the increases were determined.
8. Please revise the following sentence: 'However, if any construction is performed outside normal weekday hours, the noise levels from the construction activities would be less than those predicted for peak daytime period due to the lower activity levels.' to: 'However, if any construction is performed outside normal weekday hours, the noise levels from the construction activities are likely to be less than those predicted for peak daytime period due to the potential for lower activity levels.'

If you have any questions, please feel free to contact me at [chungc2@dep.nyc.gov](mailto:chungc2@dep.nyc.gov).

Sincerely,

A handwritten signature in black ink that reads "Chung Chan". The signature is written in a cursive, flowing style.

Chung Chan,  
Director  
Air Quality and Noise Review and Planning



June 1, 2022

Claudia Filomena  
Director of Capital Projects  
Battery Park City Authority  
200 Liberty Street  
New York, New York 10281

Re: South Battery Park City Resiliency Project DEIS

Dear Ms. Filomena:

The New York City Department of Parks & Recreation (NYC Parks) has reviewed the Draft Environmental Impact Statement (DEIS) for the South Battery Park City Resiliency Project (May 4, 2022). Our comments on the DEIS are provided below:

- Page ES-7 (Second bullet under “The Purpose of the SBPCR Project is to:”) – Suggest rewording the beginning of the purpose statement to: *“Preserve to the maximum extent practicable,...”*
- Page ES-12 (Last sentence of first paragraph) – Suggest rewording this sentence to *“This monument would be relocated as close to the current location as possible, in coordination with NYC Parks.”*
- Page ES-19 (Natural Resources row, Proposed Action column) – Suggest reword as follows: *“...The Battery, which is under the jurisdiction of NYC Parks,...”*
- Page ES-20 (Water and Sewer row, Proposed Action column) – Recommend the summary should reference that the proposed sewer valve closures in The Battery would not lead to significant adverse impacts, based on modeling presented in Appendix E.
- Page ES-26 (Natural Resources paragraph, line 7) – Suggest reword as follows: *“...The Battery, which is under the jurisdiction of NYC Parks,...”*
- Page 3.2-1 (Third paragraph, third sentence) – Suggest reword sentence as follows: *“The CEQR Technical Manual states the optimal open space ratio for residential populations is 2.5 acres of open space for every 1,000 residents”* (same for Page 3.15-58, third paragraph)
- Page 3.15-70 (Figure 3.15-11) – Suggest the figure be revised to show how the detour connects to existing bike lanes.

Please let us know if you need further information or would like to discuss any of our comments on the DEIS.

Sincerely,

A handwritten signature in blue ink, appearing to read "David Cuff". The signature is fluid and cursive, with the first name "David" and last name "Cuff" clearly distinguishable.

David Cuff, AICP  
Director of Environmental Review

CC: Sarah Neilson, NYC Parks  
Grace Tang, NYC Parks  
Michael Bradley, NYC Parks

**From:** [Filomena, Claudia](#)  
**To:** [Ducker, Renee](#); [Dencker, Rachel](#); [Lackovic, Terry](#)  
**Cc:** [Dawson Gwen](#); [Jennifer Coghlan](#); [David Paget](#); [Kohli, Varun](#)  
**Subject:** [EXTERNAL] FW: DEIS Follow-Up  
**Date:** Wednesday, June 01, 2022 5:09:49 PM  
**Attachments:** [NYCDPR\\_SBPC Resiliency DEIS Comment Letter - Final 06012022.pdf](#)

---

All  
See below and attached from DPR.

---

**From:** Cuff, David (Parks) [mailto:David.Cuff@parks.nyc.gov]  
**Sent:** Wednesday, June 1, 2022 5:01 PM  
**To:** Filomena, Claudia; Tang, Grace (Parks)  
**Cc:** Bradley, Michael (Parks); Neilson, Sarah (Parks)  
**Subject:** RE: DEIS Follow-Up

Hi Claudia,

Please see attached comment letter from NYC Parks on the DEIS for SBPC Resiliency project.

In addition, we have a few general comments we wanted to (less formally) bring to BPCA's attention:

- Tree Restitution
  - o BPCA will be required to obtain a Forestry Permit prior to start of any construction that impacts trees in NYC Parks and/or DOT ROW. Information can be found <https://www.nycgovparks.org/services/forestry/tree-work-permit>
  - o NYC Parks' initial estimates on tree restitution fees for impacted trees in the Battery, is approximately \$3.4M. We noted that in the DEIS BPCA is estimating the fee to be approximately \$5.2M, which we assume accounts for additional tree removals in DOT ROW. The fee will be finalized upon BPCA's submittal of the tree permit and all necessary supporting documents.
  - o Note that the tree replacement fee changes annually with the fiscal year, July 1 – June 30. Once the project applies for the Tree removal permit, the fee will be "locked in". Historically, the fee has gone up for the past 5 to 6 years.
- Open space mitigation for temporary significant adverse impacts
  - o Parks would be happy to have a conversation with BPCA on some ideas on how these temporary impacts can be addressed. More specifically we'd like to discuss potential options for projects within the Battery that could serve as mitigation. If you are open to this, we'll initiate a conversation with the Battery Conservancy on this topic as well.

Happy to continue our dialogue on this project, either on our DEIS comments or on next steps.

Thanks- Dave

David Cuff



## Parks, Recreation, and Historic Preservation

KATHY HOCHUL  
Governor

ERIK KULLESEID  
Commissioner

June 28, 2022

Gwen Dawson  
Vice President of Real Property  
Battery Park City Authority  
200 Liberty Street, 24<sup>th</sup> Floor  
New York, NY 10281

Re: USACE  
South Battery Park City Resiliency Project  
Borough of Manhattan, New York County, NY  
20PR02168

Dear Gwen Dawson:

Thank you for continuing to consult with the New York State Historic Preservation Office (SHPO). We have reviewed the provided documentation in accordance with Section 106 of the National Historic Preservation Act of 1966. These comments are those of the SHPO and relate only to Historic/Cultural resources. They do not include other environmental impacts to NY State Parkland that may be involved in or near your project.

We have reviewed the cover letter dated June 8<sup>th</sup>, 2022 and the revised Draft Environmental Impact Statement (DEIS) dated May 4<sup>th</sup>, 2022, submitted to our office on June 8<sup>th</sup>, 2022. Based upon our review, the document appears acceptable for historic and archaeological resources. Thank you for clarifying the APE associated with the Army Corps permit. We concur with the suggested mitigation for the adverse impact to Wagner Park and we look forward to reviewing a draft Letter of Resolution.

If you have any questions, I am best reached via e-mail.

Sincerely, Olivia Brazee Historic Site Restoration Coordinator  
[olivia.brazee@parks.ny.gov](mailto:olivia.brazee@parks.ny.gov)

via e-mail only

cc: A. Rachleff, A. Sutphin, A. AbiDargham, B. Koper, C. Tiernan, C. Cooney, G. Santucci,  
J. Dudgeon, N. Stehling, R. Dencker, R. Pinzon, S. Rahman